

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
MARCH 2, 2009
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. Marty Cooke
Commissioner Charles Warren
Commissioner Scott Phillips
Commissioner William Sue, Chairman

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

ABSENT: Jana Berg, Assistant County Attorney

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 appointment to the Rural Transportation Advisory Committee as item IX-2.

Commissioner Cooke 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. There were no comments from the audience.

V. APPROVAL OF CONSENT AGENDA

Vice-Chairman Norris moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

- A. **Minutes**
 - 1. February 16, 2009 Regular Meeting Minutes
- B. **Tax**
- C. **Finance**

The Budget Amendments and Capital Project Ordinances are recommended for approval on the consent agenda of the Board of Commissioners.

Fund	Description	Code	Increase	Decrease
Wastewater	NE Regional Capital &	649800-464314		\$14,329

Capital Reserve Fund	Replacement			
Wastewater Capital Reserve Fund	Transfer to the Wastewater Fund	649800-498062	\$14,329	
Wastewater Fund	Transfer from Wastewater Capital Reserve Fund	629800-398664	\$14,329	
Wastewater Fund	Repair & Maintenance - Instrumentation	627250-435203	\$14,329	

The budget amendment above is to move funds from the wastewater reserve designated for the NE Brunswick repair and replacement fund to the wastewater fund in the amount of \$14,329 for the repair of a pump at the NE Regional Wastewater Plant.

Fund	Description	Code	Increase	Decrease
General Fund	JCPC State Revenues Restricted	105833-332000	\$6,610	
General Fund	JCPC Grant Subsidy	105833-465500	\$6,610	

The budget amendment above is to appropriate additional state revenues for the JCPC Administration Brunswick County Boys & Girls Club Unit-Skill Building program. This new JCPC program seeks to reduce youths dropping out of school by providing the opportunities to engage in positive academic and social skills development programs.

Fund	Description	Code	Increase	Decrease
Water Fund	Insurance Reimbursement	617140-383913	\$4,325	
Water Fund	COL-Vehicles	617140-454000	\$4,325	

The budget amendment above is to appropriate insurance reimbursement for a wrecked vehicle used in the water enterprise system and the purchase of a replacement vehicle.

Fund	Description	Code	Increase	Decrease
General Fund	Insurance Reimbursement	100000-383913	\$5,535	
General Fund	Repair & Maintenance - Vehicles	104310-435300	\$5,535	

The budget amendment above is to appropriate insurance reimbursement for a wrecked vehicle into the Sheriff's department repair and maintenance line item to cover the cost of the repairs.

Fund	Description	Code	Increase	Decrease
Health Fund	Insurance Reimbursement	135181-383913	\$4,741	
Health Fund	Repair & Maintenance - Vehicles	135181-435300	\$4,741	

The budget amendment above is to appropriate insurance reimbursement for a wrecked vehicle into the Health department's repair and maintenance line item to cover the cost of the repairs.

Fund	Description	Code	Increase	Decrease
Wastewater Capital Project Fund	Southwest Phase 2 - Investment Earnings	448244-383100		\$92,682
Wastewater Capital Project Fund	Southwest Phase 2 - Proceeds 2008A Revenue Bonds	448244-395002		\$1,165,899
Wastewater Capital Project Fund	Southwest Phase 2 - Salary & Wages to Projects	448244-412990		\$15,917
Wastewater Capital Project Fund	Southwest Phase 2 - Fringe Benefits to Projects	448244-418900		\$5,053
Wastewater Capital Project Fund	Southwest Phase 2 - Administration	448244-464000		\$2,831
Wastewater Capital Project	Southwest Phase 2 - Arch/Eng/Legal	448244-464001		\$26,397

Fund				
Wastewater Capital Project Fund	Southwest Phase 2 - Construction	448244-464002		\$384,883
Wastewater Capital Project Fund	Southwest Phase 2 - Capitalized Interest	448244-464010		\$383,124
Wastewater Capital Project Fund	Southwest Phase 2 - Contingency	448244-499100		\$440,376
Wastewater Capital Project Fund	Regional Pump Station – Investment Earnings	448252-383100	\$92,682	
Wastewater Capital Project Fund	Regional Pump Station – Proceeds 2008A Revenue Bonds	448252-395002	\$1,165,899	
Wastewater Capital Project Fund	Regional Pump Station - Construction	448252-464002	\$1,258,581	

The Southwest Phase 2 project was funded by debt proceeds from the 2008A Revenue Bond. The project was completed at less than the amount budgeted. The remaining debt proceeds may be used to pay interest on the debt or for wastewater capital improvements. The budget amendment above is to close the Southwest Phase 2 and transfer the remaining Debt proceeds and investment earnings on the debt proceeds to the Regional Pump Station Project for upcoming wastewater capital expenditures.

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina
Capital Project Ordinance
Southwest Phase II Wastewater Capital Project (448244)**

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 Wastewater Capital Projects Fund for the Southwest Phase II Wastewater Capital Project:

Project Cost \$10,506,946

Section 2. It is estimated that the following revenues will be available in the Brunswick County Wastewater Capital Projects Fund:

Proceeds from 2004A Revenue Bond Debt \$863,850

Proceeds from 2008A Revenue Bond Debt \$8,970,835

Investment Earnings \$101,701

Revenue Bond Premium \$570,560

Total Project \$10,506,945

Section 3. This Capital Project Ordinance shall be entered into the minutes of the March 2, 2009 meeting of the Brunswick County Board of Commissioners.

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina
Capital Project Ordinance
Regional Pump Stations Wastewater Capital Project (448252)**

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 Wastewater Capital Projects Fund for the Regional Pump Station Wastewater Capital Project:

Project Cost \$1,385,881

Section 2. It is estimated that the following revenues will be available in the Brunswick County Wastewater Capital Projects Fund:

Proceeds from 2008A Revenue Bond Debt	\$1,165,899
Investment Earnings	\$92,682
Transfer from Wastewater Capital Reserve	<u>\$127,300</u>
Total Project	\$1,385,881

Section 3. The following amounts are hereby appropriated in the Brunswick County Wastewater Capital Reserve Fund:

Contribution to Wastewater Capital Project	\$127,300
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Section 4. It is estimated that the following revenues will be available in the Brunswick County Wastewater Capital Reserve Fund:

Current Funds Appropriated	\$127,300
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Section 5. This Capital Project Ordinance shall be entered into the minutes of the March 2, 2009 meeting of the Brunswick County Board of Commissioners.

D. Ambulance Acquisition Vendor

Staff requests declaring Sartin Services of Archdale, NC as a “sole vendor” for the acquisition of a mass casualty ambulance.

E. Brunswick Beaches Consortium Resolution

Staff requests approving Resolution Extending Term of Brunswick Beaches Consortium.

F. Resolution No Wake Zone Southport Old Yacht Basin

Staff requests approval of a Resolution from February 16, 2009 Regular Meeting.

G. Criminal Justice Partnership Program Grant Application

Staff requests approving the submittal of Grant Application for continued funding for the Criminal Justice Partnership Program in the amount of \$99,324 for FY 2009-2010.

H. Planning – CDBG Water Hook-up Grant Program Close-Out

Staff recommends setting Public Hearing for April 6, 2009 at 6:30 p.m. to receive public input regarding the Community Development Block Grant Water Hook-up Grant Program Close-out.

VI. PRESENTATION

1. Eagle Scout Jacob Borgardts (Commissioner Warren)

Commissioner Warren presented a plaque and read a Resolution Honoring Jacob Borgardts, Eagle Scout.

RESOLUTION IN HONOR OF JACOB BORGARDTS, EAGLE SCOUT

Whereas, Scouting in America is reaching its One Hundredth Anniversary next year, and a part of this milestone are all the Scouts that have been a part of that history, with each having made an individual contribution to that endeavor, and

Whereas, one such contributor has completed his commitment to his parents, his troop, his Scoutmaster and to himself, and **JACOB BORGARDTS** has been elevated to the rank of Eagle Scout, and

Whereas, this intense young man, a Junior at South Brunswick High School, plays on the Cougar Soccer team, and finds the time to play the trumpet in the South Brunswick Marching Band, and is contemplating a career in aquaculture among others, and

Whereas, this gentle young man found the courage and the time and the effort to plan, construct and locate bat boxes in Smithville Township, to appreciate the contribution that all creatures are capable of, and provide a small push to some of the smaller creatures of the world.

Now therefore, the Brunswick County Commissioners are hereby resolved to honor the attention, devotion and labor of **JACOB BORGARDTS** upon his achievement of the rank of Eagle Scout, and wish him well as he goes forward to find his place in the world, and would remind him that the values that he has learned in Scouting will serve him well in any endeavor.

This the 2nd day of March, 2009.

s/William M. Sue, Chairman
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, CMC

Clerk to the Board

2. **Senate Bill 52 (Cameron Moore)**

Cameron Moore, BASE informed that legislation was passed in 2008 that gave authorization to Cabarrus County and roughly 15 municipalities to allow development incentives in conjunction with energy reduction. This bill only gives these local governments the authorization to put their own unique local program together. It does not require them to do anything once they receive the authorization. Senator R. C. Soles has put a bill in for this session (SB 52) that would add Pender County to that list. Mr. Moore proposed that Brunswick County and New Hanover County be added to the list as well. New Hanover and Pender County have been notified also of this intent.

Commissioner Cooke moved to direct staff to contact Senator Soles and follow up with a letter for this request to be included. The vote of approval was unanimous.

VII. PUBLIC HEARING

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

1. Proposed Brookneal Street Closure (Huey Marshall)

I. CALL TO ORDER

Chairman Sue called the Public Hearing to order at 6:42 p.m. and announced that the purpose of the hearing was to receive public input regarding the Proposed Street Closure.

Huey Marshall, County Attorney had requested to conduct a public hearing calling for the closure of a portion of Brookneal Street in Sunset Harbor. The portion of Brookneal Street that is the subject of this Resolution lies to the east of Palm Street and has never been part of the North Carolina Road System. The public hearing would assist the Board in deciding whether to adopt an order to close a portion of Brookneal Street.

Mr. Marshall informed that after he posted notice of the Public Hearing, Mr. Boling withdrew the street from dedication and returned the right of way to property, therefore, making this Public Hearing unnecessary.

II. ADJOURN

Vice-Chairman Norris moved to adjourn the Public Hearing at 6:45 p.m. The vote of approval was unanimous.

Commissioner Warren moved to not honor the petition. The vote of approval was unanimous.

2. Planning – Proposed Unified Development Ordinance Text Amendment UDO-09-01 (Leslie Bell)

I. CALL TO ORDER

Chairman Sue called the Public Hearing to order at 6:45 p.m. and announced that the purpose of the hearing was to receive public input regarding Proposed Unified Development Ordinance Text Amendment UDO-09-1.

Leslie Bell, Planning Director, explained the following:

Item 1

Amend Article 6, Design and Performance Standards, Section 6.1.6.A.3, Minimum Required Parking (Overnight Accommodations) as follows:

~~4.25~~ **1.15** per room + 1 per 100 SF
conference/banquet/restaurant

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

There was a short discussion regarding verbiage and the Planning Director was instructed to make changes (these changes are reflected in Board Action)

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

Commissioner Cooke moved to close the Public Hearing at 6:49 p.m. the vote of approval was unanimous.

VIII. ADMINISTRATIVE REPORT

1. Planning – Proposed Unified Development Ordinance Text Amendment UDO-09-02 First Reading and Setting of a Public Hearing (Leslie Bell)

Staff recommends approval of First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. for Proposed Text Amendment UDO-09-02.

Leslie Bell, Planning Director, explained the following:

Item 1

Amend Article 4, Zoning Districts, Section 4.8.5.F.2, PUD Dimensional Table to include C-LD Zoning Designation as a Planned Unit Development (PUD) option.

Item 2

Amend Article 4, Zoning Districts, Section 4.8.5.F.2, PUD Dimensional Table, to reduce the minimum lot width requirements for Semi-Attached Houses in a Planned Unit Development.

Item 3

Amend Article 4, Zoning Districts, Section 4.8.5.F.2, PUD Dimensional Table to include Cottage Housing Developments.

Item 4

Amend Article 4, Zoning Districts, Section 4.8.5.L to include new section, “Cottage Housing Development” criteria.

Item 5

Amend Article 4, Zoning Districts, Section 4.8.5.L.M.2.i, Establishment Criteria, to exclude Cottage Housing Developments from the minimum ten acre PUD requirement.

Item 6

Amend Article 4, Zoning Districts, Section 4.8.5, Planned Unit Development, to renumber existing items accordingly.

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

Commissioner Cooke moved to approve First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. The vote of approval was unanimous.

2. Planning – Proposed CAMA Land Use Map Amendment LU-33 First Reading and Setting of a Public Hearing (Leslie Bell)

Staff recommends approval of First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. for Proposed CAMA Land Use Map Amendment LU-33.

Item 1 (Map Amendment LU-33)

Item 1 is a map amendment initiated by staff. This change from Industrial to Commercial would allow for commercial use for a portion of 02200022, 0220002202, 0220002203, a portion of 0220002204, a portion of 0220002208, a portion of 0220002214, 022JA001, 022JA00101, 022JA002, 022JA003, 022JA004, 022JA005, 022JA006, a portion of 022JA007, a portion of 022JA020, 022JA021, 022JA022, 022JA023, 022JA024, 022JA025, 022JA026, a portion of 022JB014, a portion 022JB015, a portion of 022JB016, a portion of 022JB017, a portion of 022JB018, a portion of 022JB019, a portion of 022JB020, and a portion of 022JB021 located on Compass Pointe East Wynd off Andrew Jackson Highway (US 74/76) near Leland, NC.

Planning Staff and Planning Board (unanimous 7 to 0) recommends approval to the Official Brunswick County CAMA Land Use Map from Industrial to Commercial for a portion of 02200022, 0220002202, 0220002203, a portion of 0220002204, a portion of 0220002208, a portion of 0220002214, 022JA001, 022JA00101, 022JA002, 022JA003, 022JA004, 022JA005, 022JA006, a portion of 022JA007, a portion of 022JA020, 022JA021, 022JA022, 022JA023, 022JA024, 022JA025, 022JA026, a portion of 022JB014, a portion 022JB015, a portion of 022JB016, a portion of 022JB017, a portion of 022JB018, a portion of 022JB019, a portion of 022JB020, and a portion of 022JB021 located on Compass Pointe East Wynd off Andrew Jackson Highway (US 74/76) near Leland, NC.

Commissioner Phillips moved to approve First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. The vote of approval was unanimous.

3. Planning – Map Amendment Z-09-635 First Reading and Setting of a Public Hearing (Leslie Bell)

Staff recommends approval of First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. for Proposed Map Amendment Z-09-635.

Leslie Bell, Planning Director, explained the following:

Item 1 (Map Amendment Z-635 – Brunswick Community College)

Item 1 is a map amendment initiated by the property owner. This change from R-7500 (Low Density Residential) to C-LD (Commercial Low Density) would allow for commercial use of Tax Parcel 2260000102 located on Thomasboro Road (SR 1165) near Carolina Shores, NC. An amendment to the Official Brunswick County CAMA Land Use Map has been requested for Tax Parcel 2260000102 located on Thomasboro Road (SR 1165) near Carolina Shores, NC.

This rezoning totals 10 acres.

Planning Staff recommends approval to C-LD (Commercial Low Density).

Planning Board recommends approval to C-LD (Commercial Low Density) [unanimous 7 to 0].

Planning Staff recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for Tax Parcel 2260000102 located on Thomasboro Road (SR 1165) near Carolina Shores, NC.

Planning Board recommends approval to the Official Brunswick County CAMA Land Use Map from LDR (Low Density Residential) to Commercial for Tax Parcel 2260000102 located on Thomasboro Road (SR 1165) near Carolina Shores, NC. [unanimous 7 to 0].

Vice-Chairman Norris moved to approve First Reading and set a Public Hearing for April 6, 2009 at 6:30 p.m. The vote of approval was unanimous.

4. Planning – Agreement for Professional Services Compass Pointe Engineering, PA (Whitlock Landing & Brunswick Nature Park) (Leslie Bell)

Staff recommends approving Agreement with Compass Pointe Engineering.

Leslie Bell, Planning Director, explained that in 2000, Brunswick County purchased 6.4 acres (Whitlock Landing) of land for the purpose of creating a boat access (Kayak and Canoe) site for public site. The site is situated just off U.S. 17 (Ocean Hwy.) and adjacent to Town Creek and can be easily accessed by the public.

Subsequent to initiating project design, it was determined that a Major CAMA Permit will be required rather than a Minor CAMA Permit as initially instructed. As a result, subsequent permitting is needed prior to construction on-site and bidding of the North Carolina Department of Transportation (NCDOT) access improvements. Change to Access has already been approved by the NCDOT Board of Directors.

Brunswick Nature Park (BNP) located over eight (8) miles from the Town Creek Access Site (Whitlock Landing) and on the Brunswick River, will provide an additional kayak and canoe access point on Town Creek. The addition of the Town Creek Boat Access Site will provide the connection needed to create Brunswick County's first Blueway. A Major CAMA Permit is also required from the multi-phase BNP. Currently, on-site septic evaluation is in process for BNP.

Both projects are being partially funded by the North Carolina Department of Environment and Natural Resources Division of Coastal Management Grants.

Staff recommends approval of a contract with Compass Pointe Engineering with express permitting in an effort to complete on-site work in accordance with project extension through August 31, 2009.

Commissioner Cooke moved to approve the Agreement with express permitting with Compass Pointe Engineering. The vote of approval was unanimous.

5. Utilities –B&K Coastal LLC dba Cape Fear Paving for the Oak Island Force Main Phase 2 Tentative Contract Award (Jerry Pierce)

Staff recommends approving Tentative Award of Contract to B&K Coastal, LLC dba Cape Fear Paving Contingent Upon approval by NCDENR Construction Grants and Loans Section.

Jerry Pierce, Utilities Director, requested that the Board accept the bids for the Oak Island Force Main Phase 2 Project and tentatively award the contract to B & K Coastal LLC dba Cape Fear Paving, based upon the engineer's determination that they submitted the lowest responsive, responsible bid in the amount of \$6,569,987.36 subject to approval of award of the contract by

the North Carolina Department of Environment and Natural Resources (NC DENR) Construction Grants and Loans Section.

Bids were received on Tuesday, February 3, 2009, for the construction of the Oak Island Force Main Phase 2 Project. Twenty bids were received from contractors. The engineer on the project, Earth Tech, has evaluated the bids and determined that the lowest responsive, responsible bid was received from Cape Fear Paving of Wilmington, NC, in the amount of \$6,569,987.36. After checking references on the firm, they have recommended award to Cape Fear Paving.

The Oak Island Force Main Phase 2 Project includes the construction of a 24" force main from the end of force main being installed as a part of the Oak Island Force Main Phase 1 project on NC 211, down NC 211 to Clemmons Road, and then down Clemmons Road to Gilbert Road and the down Gilbert Road to Benton Road and then down Benton Road to U.S. Highway 17 and then across U.S. Highway 17 where it will connect to the 24" force main installed by the plant expansion contractor. The project also includes the construction of a 16" effluent reuse main from the existing effluent reuse main in U. S. Highway 17 and then runs down Benton Road to the International Paper effluent disposal site.

As this project is being funded by a low interest loan from the NC DENR to the Town of Oak Island, the project has to be tentatively awarded at this time. A copy of this action by the Board, affidavits of advertisement, bid tabulation, and engineer's recommendation of award must be provided to the NC DENR Construction Grants and Loan Section. After review of all documents and receipt of all permits by the NC DENR Construction Grants and Loan Section, they will authorize the County to execute the Contract Documents.

Vice-Chairman Norris moved to approve Tentative Award of Contract to B&K Coastal, LLC dba Cape Fear Paving in the amount of \$6,569,987.36 contingent upon approval by NC Department of Environment and Natural Resources Construction Grants and Loans Section. The vote of approval was unanimous.

6. Utilities – Earth Tech Contract Amendment-Oak Island Force Main Phase 2 (Jerry Pierce)

Staff recommends approving Contract Amendment with Earth Tech of North Carolina, Inc.

Jerry Pierce, Utilities Director, requested approval of a contract amendment in the amount of \$85,367 with Earth Tech of North Carolina, Inc., for construction administration and construction observation associated with the Oak Island Force Main Phase 2.

In FY 2006, the County entered into a contract with Earth Tech of North Carolina for the design of the Oak Island Force Main Project. The second and final phase of the project has been bid and the contract has been awarded to Cape Fear Paving.

The proposed contract amendment revises the scope of work in the contract to include construction administration services and limited construction observation services. Under the proposed contract amendment, Earth Tech will be responsible for coordination with North Carolina Department of Environment and Natural Resources Construction Grants & Loans (NC DENR CG&L), reviewing all shop drawings, interpreting the plans and specifications, and providing at least two days of construction observation per month. The County will be responsible for performing the daily construction observation and approval of all payment requests. The proposed contract amendment would increase the existing contract amount by \$85,367.

Commissioner Phillips moved to approve a contract amendment in the amount of \$85,367 with Earth Tech of North Carolina, Inc., for construction administration and construction observation associated with the Oak Island Force Main, Phase 2. The vote of approval was unanimous.

Vice- Chairman Norris asked to be recused from items 7 and 8. Chairman Sue moved to recuse Commissioner Norris from items 7 and 8. The vote of approval was unanimous.

7. Utilities-Water Reimbursement Agreement with Caw Caw Land Corporation (Jerry Pierce)

Staff recommends approving Water Transmission Reimbursement Agreement with Caw Caw Land Corporation.

The Utilities Director explained that on October 2007, the Board of Commissioners approved a Water Transmission Reimbursement Policy. Under the Policy, a developer may be eligible for reimbursement of the cost of constructing water distribution mains provided they met the criteria outlined.

The Caw Caw Land Corporation plans to construction 10,310 lf of 12" water main on No. 5 School Road to serve a commercial area and residential subdivision area. The water main meets the criteria for reimbursement under the Water Transmission Reimbursement Policy.

Commissioner Cooke moved to approve a Water Transmission Reimbursement Agreement with Caw Caw Land Corporation for the construction of a 12" water main on No. 5 School Road. The vote of approval was 4 ayes, (Warren, Phillips, Sue and Cooke) Vice-Chairman Norris recused).

8. Admin-Sewer Transmission Reimbursement Agreement Caw Caw Land Corporation (Marty Lawing)

Staff recommends approving Sewer Transmission Reimbursement Agreement between Brunswick County and Caw Caw Land Corporation.

Marty Lawing, County Manager, explained that the Caw Caw Land Corporation has submitted an application for a sewer transmission line agreement to construct approximately 12,040 linear feet of eight-inch (8-in.) sewer transmission line along Ask-Little River Road and No. 5 School Road to a connection point on Calabash Road. Caw Caw Land Corporation plans to develop a 398 unit residential development on a 207 acre tract known as the Brunswick Plantation NW Tract. The term of the agreement is 10 years and only the transmission line constructed in the public right of way is eligible for reimbursement. The developer will pay \$398,000 in sewer transmission capital recovery fees which will be credited against the total cost to construct the sewer transmission main. In accordance with the ordinance the project must be competitively bid, however the agreement contains a provision that will allow the developer to use a contractor other than the low bidder if the developer determines that it is in its best interest to do so with the understanding that the amount to be reimbursed will be based on the lowest bid.

Commissioner Phillips moved to approve the Sewer Transmission Reimbursement Agreement between Brunswick County and Caw Caw Land Corporation. The vote of approval was 3 ayes (Phillips, Sue and Cooke) 1 nay (Warren) Vice-Chairman Norris recused.

9. Utilities- Water Service Area System Application Resolution (Jerry Pierce)

Staff recommends approving Resolution Authorizing an Application for Grants/Loans from the Public Water Supply Section of NCDENR for the Longwood Road Water System Extension Project.

Jerry Pierce, Utilities Director, requested approval of a resolution authorizing the application for grants and/or loans for 2008-2009 Water Service Area System from the Public Water Supply Section of the NCDENR and authorizing the Manager to sign grant-related documents.

The Public Water Supply Section of the North Carolina Department of Environment and Natural Resources (NC DENR) has notified the County that additional grant and/or loan funds may be made available to the NC DENR by the federal government as a part of an economic stimulus program. If additional funds are received, the Public Water Supply Section has indicated that projects need to be included on their priority list and has extended the deadline for project application submittal.

The County plans to construct the 2008-2009 Water Service Area System Improvements during the current fiscal year and next fiscal year. The project includes the construction of 52,600 lf of 12" water main; 14,600 lf of 8" water main; 8,100 lf of 6" water main; and 104 fire hydrants to provide a system loop and water service to the Ash area and Longwood Road area. To submit an application, the Public Water Supply requires adoption of a resolution by the utility's governing body authorizing submittal of an application and authorizing an official to sign grant-related documents on behalf of the County.

Commissioner Phillips moved to approve a Resolution Authorizing an Application for Grants/Loans from the Public Water Supply Section of NCDENR for the Longwood Road Water System Extension Project. The vote of approval was unanimous.

10. Finance-Budget Amendment FY 08-09 Projected Revenue Shortfall (Ann Hardy)

Staff recommends approval of FY 2008-2009 Budget Amendment as Presented.

Ann Hardy, Fiscal Operations Director, explained that based on an analysis of the January 31, 2009 General Fund financial reports and discussions with the Revenue Collector and Tax Administrator, it appears likely that several of the major revenue sources will not achieve the amounts budgeted for the fiscal year. The County's largest source of revenue is ad Valorem tax collections which were budgeted based on a 98% collection rate. It now appears that a collection rate of 94-96% is more realistic. At this time, staff is recommending an amendment to reduce ad Valorem revenues to the 96% collection level or a reduction totaling \$2,168,000. The second

largest county revenue source is Local Option Sales Taxes. Sales taxes for the first 4 months of the fiscal year were on target for budget projections. However, sales taxes paid by consumers in October and November, which were received by the county in January and February, were about \$600,000 per month or 34% less than the same month in the previous fiscal year. Based on that emerging trend, it now appears that Local Option Sales Tax will not achieve budget by \$3.3 million this fiscal year. Other major revenues sources that are not projected to come within budget are: Deed Stamp Excise Tax, Building Inspections and Fees, Investment Earnings, and C&D landfill fees. The County is required under GS 159-13(b) (7) to estimate revenues to include only those revenues reasonably expected to be realized in the budget year. At this time, it appears that the County must amend the General Fund Operating budget to reduce revenues to amounts that appear attainable.

An analysis of the broad categories of expenditure in the General Fund is provided for information below.

General Fund Operating Expenditure Category	General Fund Total Budget For Expenditure Category	Percentage of Total General Fund Expenditures Budget FY 2008-09
Salaries & Wages	\$39,876,788	25.2%
Employee Payroll Taxes & Benefits	\$16,220,188	10.3%
Education (Schools & College)	\$35,270,424	22.3%
Debt Service Payments	\$16,099,623	10.2%
Municipal Solid Waste Disposal Contracted Services	\$10,600,000	6.7%
Day Care, Foster Care & Special Assistance Programs	\$6,374,786	4.0%
Motor Fuels & Lubricants	\$3,026,065	1.9%
General Fund Operating Expenditure Category	General Fund Total Budget For Expenditure Category	Percentage of Total General Fund Expenditures Budget FY 2008-09
Medicaid Assistance	\$2,820,626	1.8%
Public Housing Section 8 Vouchers	\$2,336,915	1.5%
Excise & Marriage Tax Remitted to State	\$1,634,500	1.0%
Capital Outlay	\$1,596,626	1.0%
Brunswick Senior Resources, Inc.	\$1,500,000	0.9%
Electricity	\$1,411,700	0.9%
Property & General Liability Insurance	\$973,316	0.6%
Constructed & Demolition Hauling and Disposal Contracted Services	\$500,000	0.3%
All Other Operating Expenditures	\$17,996,721	11.4%

The Fiscal Operations Director and Deputy Finance Officer developed a recommendation for the County Manager's consideration of potential reductions in the General Fund budget and then worked with each applicable department head to achieve an agreement of the amounts proposed to be changed in their respective budgets. In several instances, the Department Head or elected official met with the Fiscal Operations Director and the County Manager to discuss their budget in detail.

Background Information-Water Fund

Based on an analysis of the January 31, 2009 Water Fund financial reports, it appears likely that revenues will achieve the amounts budgeted for the fiscal year. No budget amendment for the

Water Fund is recommended at this time. An analysis of the broad expenditure categories in the Water Fund is provided for information below.

Water Fund Operating Expenditure Category	Water Fund Total Budget For Expenditure Category	Percentage of Total Water Fund Expenditures Budget FY 2008-09
Salaries & Wages	\$3,689,280	24.7%
Employee Payroll Taxes & Benefits	\$1,381,614	9.3%
Chemicals	\$1,285,500	8.6%
Debt Service Payments	\$1,183,013	7.9%
Electricity	\$1,061,000	7.1%
Contract Services	\$952,245	6.4%
Lower Cape Fear Water & Sewer	\$943,000	6.3%
Water Fund Operating Expenditure Category	Water Fund Total Budget For Expenditure Category	Percentage of Total Water Fund Expenditures Budget FY 2008-09
Capital Outlay	\$769,900	5.2%
Reimbursement of Indirect Cost (Overhead) to General Fund	\$573,515	3.8%
Repair & Maintenance-Equipment	\$482,900	3.2%
Purchase of Tap Supplies	\$400,000	2.7%
Service & Maintenance Contracts	\$377,754	2.5%
Repair & Maintenance-Instrumentation	\$310,000	2.1%
Motor Fuels & Lubricants	\$155,900	1.0%
Property & General Liability Insurance	\$135,079	0.9%
All other operating expenditures	\$1,215,200	8.3%

Background Information-Wastewater Fund

Based on an analysis of the January 31, 2009 Wastewater Fund financial reports, it appears likely that fees associated with new services in the Wastewater Fund will not achieve the amounts budgeted for the fiscal year. The anticipated shortfall is approaching \$1.1 million. In addition, the line currently under construction to serve the Town of Oak Island will not be complete for several months. The line was projected to be complete in December 2008 and Oak Island was to begin reimbursing the county for debt payments in this fiscal year. The agreement with the town requires the town to begin payments when the county can accept waste. The amount the town was budgeted to pay the county in FY 2008-09 was in excess of \$1.2 million.

An analysis of the broad expenditure categories in the Wastewater Fund is provided for information below.

Wastewater Fund Operating Expenditure Category	Wastewater Fund Total Budget For Expenditure Category	Percentage of Total Wastewater Fund Expenditures Budget FY 2008-09
Salaries & Wages	\$1,426,956	11.7%
Employee Payroll Taxes & Benefits	\$546,886	4.5%
Debt Service Payments	\$6,706,491	54.8%
Capital Outlay	\$879,932	7.2%
Electricity	\$671,000	5.48%

Purchase of Tap Supplies	\$448,000	3.66%
Contract Services	\$338,000	2.76%
Transmission System Operating & Maintenance	\$304,622	2.49%
Reimbursement of Indirect Cost (Overhead) to General Fund	\$222,479	1.82%
Wastewater Fund Operating Expenditure Category	Wastewater Fund Total Budget For Expenditure Category	Percentage of Total Wastewater Fund Expenditures Budget FY 2008-09
Repair & Maintenance- Equipment	\$157,500	1.29%
Property & General Liability Insurance	\$108,300	0.88%
Motor Fuels & Lubricants	\$97,350	0.79%
Repair & Maintenance- Instrumentation	\$87,500	0.71%
All other operating expenditures	\$251,125	1.92%

Recommendation-General Fund

Below is the recommended budget amendment staff prepared after collaboration with department heads. The amendment is expected to bring the current budget to more realistic revenue levels and reduce the impact to the county's savings (i.e. fund balance). However, if the ad Valorem tax collection falls below 96% or the Local Options Sales Taxes continue to decline beyond a 34% reduction, additional budget measures will be needed. All of the revenue shortfalls were not able to be offset by a reduction in expenditures or increase in revenues. The recommended amendment includes an additional fund balance appropriation of \$346,019 to balance the budget. It is very difficult to make annual projects in light of the current economic uncertainty, but it is necessary to attempt to do so. Ms. Hardy's analysis indicates that total annual revenues for the General Fund (assuming no further decline in revenues) will end the year at about \$151 million (compared to \$158 million in FY 2007-08) and expenditures will be around 8.5% higher than the previous year or \$157 million. The result may be that General Fund Balance is reduced by \$6 million before transfers to the reserve funds. Based on the transfers to the reserves budgeted, fund balance may be reduced an additional \$10 million for a total annual reduction in the fund balance of \$16 million in FY 2008-09. The beginning total fund balance for the FY 2008-09 was \$64.1 million with \$37.9 million unreserved. The unreserved fund balance of \$37.9 million was 24% of the \$158.2 million beginning FY 09 budget. Based on the projections, total fund balance at FYE 6/30/09 would be \$47.8 million. If rollovers, end of year spending plans and appropriations to balance the budget are not allowed or made, then the projected unreserved and undesignated fund balance would be around \$39 million. If a 3% budget increase occurs for FY 10, the unreserved fund balance % would remain around 24%.

Recommendation-Wastewater Fund

Staff recommends delaying a transmission line improvement capital project funded in the Wastewater Capital Reserve Fund and transferring those funds back to the Wastewater Operating Fund until the time that the County can bill the Town of Oak Island for debt reimbursement. In addition, staff recommends budget reductions in the contingency and other line items to bring the budget into balance.

Staff recommends approval of the Budget Amendments below:

General Fund Revenues	100000	311208	Ad Valorem Taxes-Motor Vehicles	(223,000)
General Fund Revenues	100000	311408	Ad Valorem Taxes-Real Property	(1,945,000)
General Fund Revenues	100000	323100	Sales Tax Article 39	(1,455,000)
General Fund Revenues	100000	323201	Sales Tax Article 40	(389,480)
General Fund Revenues	100000	323202	Sales Tax Art 40 – School Amt.	(166,920)
General Fund Revenues	100000	323301	Sales Tax Article 42	(221,624)
General Fund Revenues	100000	323302	Sales Tax Art. 42-School Amt.	(332,436)
General Fund Revenues	100000	323401	Sales Tax Article 44	(811,500)
General Fund Revenues	100000	383100	Investment Earnings	(165,000)
General Fund Revenues	100000	399100	Fund Balance Appropriation	346,019

The above amendment is to reduce major revenue budget amounts and increase the fund balance amount appropriated to balance the budget.

County Administration 104120 426200 Major Operating Equipment (6,000)

The above amendment is to reduce major operating equipment in the administration department.

Finance 104130 419900 Professional Services (40,000)

Finance 104130 426010 Computer Software (250,000)

Finance 104130 426200 Major Operating Equipment (7,770)

The above amendment is to reduce the finance department budget for computer software enhancements (including related professional fees) related to software upgrades for system wide on line purchasing, human resources and finance software upgrades and major operating equipment.

Tax Administration 104140 412100 Salary (75,000)

Tax Administration 104140 418100 Payroll Taxes and Benefits (25,000)

Tax Administration 104140 426200 Major Operating Equipment (16,300)

Tax Administration 104140 444000 Service and Maint Contracts (30,000)

Tax Administration 104140 452000 Capital Outlay-Data (242,800)

The above amendment is to reduce the tax administration department budget for projected lapsed salaries, taxes and benefits due to vacancies, elimination of major operating equipment, reduction of service and maintenance contract funds and tax software funds not expected to be expended.

GIS 104142 455000 Capital Outlay - Equipment (7,000)

The above amendment is to eliminate a GPS system funded in the original budget of the GIS department.

County Attorney 104150 412100 Salary (29,000)

County Attorney 104150 418100 Payroll Taxes and Benefits (14,000)

The above amendment is to reduce the county attorney's budget for the salaries and benefits associated with a vacant administrative assistant position that is frozen for this fiscal year.

Board of Elections 104170 426200 Major Operating Equip (85,000)

The above budget amendment is to reduce voting machine equipment budgeted in the Board of Elections Department that was funded by a grant and will not require local funding.

Register of Deeds 104180 324000 Excise Taxes (1,600,000)

Register of Deeds 104180 329000 Marriage License Fees 5,000

Register of Deeds 104180 334100 Recording Fees (270,000)

Register of Deeds 104180 334125 Floodplain Mapping Fees (60,000)

Register of Deeds 104180 334150 Passport Fees 30,000

Register of Deeds 104180 383959 Miscellaneous Revenues 14,000

Register of Deeds 104180 383969 Capital Credits Earned 5,265

Register of Deeds 104180 412100 Salary (125,000)

Register of Deeds 104180 418100 Payroll taxes and benefits (40,000)

Register of Deeds 104180 413400 Register of deeds-Retirement Fund (3,765)

Register of Deeds 104180 419200 Professional Services - Legal (8,500)

Register of Deeds 104180 425100 Motor Fuels & Lubricants (1,000)

Register of Deeds 104180 426000 Supplies & Materials (10,000)

Register of Deeds 104180 426010 Computer Software (22,000)

Register of Deeds 104180 426100 Equipment Less Than \$500 (4,000)

Register of Deeds 104180 426200 Major Operating Equip (42,694)

Register of Deeds 104180 432100 Telephone (1,700)

Register of Deeds 104180 432500 Postage (4,300)

Register of Deeds 104180 434100 Printing (5,000)

Register of Deeds 104180 435100 Repair & Maintenance - Building (75,750)

Register of Deeds 104180 435200 Repair & Maintenance - Equipment (62,555)

Register of Deeds 104180 439900 Contract Services (39,000)

Register of Deeds	104180	441400	Rent Of Equipment	(20,959)
Register of Deeds	104180	444000	Service & Maintenance Contracts	(4,000)
Register of Deeds	104180	449900	Miscellaneous Expense	(2,275)
Register of Deeds	104180	449914	Bad Debt Expense	(950)
Register of Deeds	104180	455000	Capital Outlay - Equipment	(14,250)
Register of Deeds	104180	466001	Excise Tax	(784,000)
Register of Deeds	104180	466002	Marriage	2,500
Register of Deeds	104180	466003	Floodplain	(60,000)
Register of Deeds	104180	498032	Trans to Technology reduced fr Gen fund	(25,100)

The above budget amendment is to reduce revenues in the Register of Deeds budget that are anticipated to have an annual budget shortfall, Excise Tax, Recording Fees, Floodplain Mapping and increase revenues that appear will exceed budget, Marriage License, Passport Fees and Miscellaneous Revenues. The amendment is to reduce departmental expenditure line items for vacant positions, amounts that will not be due to the State based on lower collections and various other operating budget line items that are expected to exceed amounts needed for the fiscal year.

MIS	104210	426010	Computer Software	(7,500)
MIS	104210	426200	Major Operating Equip	(40,000)
MIS	104210	439900	Contract Services	(7,500)

The above budget amendment is to reduce computer software, contract services and purchases of replacement computers in the MIS department.

Service Center	104250	383931	Fuel Reimbursement	(214,000)
Service Center	104250	412100	Salary	(31,000)
Service Center	104250	418100	Payroll taxes and benefits	(13,000)
Service Center	104250	425100	Motor Fuels	(800,000)
Service Center	104250	455000	Capital Outlay - Equipment	(39,589)

The above budget amendment is to reduce fuel reimbursement revenue from outside entities that purchase fuel at the county gas pumps and to reduce salaries and payroll taxes and benefits for lapsed salaries in the Service Center budget. The amendment reduces the countywide motor fuel budget by \$800,000 due to an anticipated savings in the cost of fuel this fiscal year over amounts budgeted. The amendment is to eliminate funding for the fuel tax improvements at the Leland site.

Operation Services	104280	412100	Salary	(40,000)
Operation Services	104280	418100	Payroll taxes and benefits	(20,000)
Operation Services	104280	426200	Major Operating Equipment	(27,515)
Operation Services	104280	454000	Capital Outlay - Vehicle	(24,000)
Operation Services	104280	455000	Capital Outlay - Equipment	(5,934)

The above budget amendment is to reduce the Operation Services budget for lapsed salaries, payroll taxes and benefits, various operating equipment such as air compressors, pipe threader, chair saw winch, etc., ½ ton 4 WD truck, and dust collection for carpentry shop.

Non departmental	104290	418100	Workers Comp Insurance	(100,000)
Non departmental	104290	431150	Travel - Budget Restricted	(150,000)
Non departmental	104290	445100	Property & General Liability	(27,000)
Non departmental	104290	445101	Contingency for Deductibles	(30,000)
Non departmental	104290	454000	Capital Outlay - Vehicle	(35,000)

The above budget amendment is to reduce the non-departmental (county wide for general fund) budget for anticipated excess budget funds in workers compensation insurance, travel in all departments due to the freeze of all overnight travel, property and general liability premiums, contingency for insurance deductibles and the elimination of 2 fleet vehicles.

Sheriff	104310	334810	Concealed Weapons Permit Fees	17,000
Sheriff	104310	383958	Other Permits and Fees	49,500
Sheriff	104310	421200	Uniforms	8,000
Sheriff	104310	439900	Contract Services	(3,720)
Sheriff	104310	444000	Service & Maintenance Contracts	11,000
Sheriff	104310	454000	Capital Outlay - Vehicle	11,100

The above budget amendment is to increase revenues that are anticipated to result in earnings in excess of budget in the sheriff's department including concealed weapons permit fees and to increase budget for expenditures that are anticipated to be in excess of budget such as uniforms, service and maintenance contracts and vehicle costs. Contract services are estimated to have surplus funds so a reduction in that line item is requested.

Detention 104320 383962 Jail Fees (25,000)

The above budget amendment in the Detention Center budget is to decrease revenues from jail fees that are not anticipated to achieve the amount budgeted.

Emergency Management	104330	332045	FEMA - Hanna 2008	5,306
Emergency Management	104330	426100	Equip Less Than \$500	(24,000)
Emergency Management	104330	426200	Major Op Equipment	(6,000)
Emergency Management	104330	434100	Printing	(620)
Emergency Management	104330	439900	Contract Services	(16,915)
Emergency Management	104330	454000	Capital Outlay-Vehicle	(25,000)

The above budget amendment in the Emergency Management budget is to appropriate revenue from FEMA and decrease line items identified by the department as having excess funds. In addition the budget will eliminate the purchase of equipment including pallets of water, gas monitor, cooling fans, water pumps, heater meals and computing tables. The reduction also includes the elimination of a vehicle for trainings and inspections.

EMS	104332	332045	FEMA - Hanna 2008	18,015
EMS	104332	335016	EMS Charges	300,000
EMS	104332	412100	Salary	(50,000)
EMS	104332	418100	Payroll taxes and benefits	(20,000)
EMS	104332	426200	Major Operating Equipment	(9,000)
EMS	104332	432100	Telephone	(25,000)
EMS	104332	439900	Contract Services	24,000
EMS	104332	455000	Capital Outlay - Equipment	(14,000)

The above budget amendment in the Emergency Medical Services Department includes an appropriation for revenues from FEMA, additional earnings anticipated for service fees and reductions for lapsed salaries and benefits. An additional appropriation is requested for the contractual amount required by the billing agent associated with the additional fees. The reduction in equipment is due to savings from the amount budgeted over the actual cost of purchasing 2 replacement ambulances and the associated equipment package.

Building Inspections	104350	334300	Building Permits	(300,000)
Building Inspections	104350	334500	Electrical Inspections	(25,000)
Building Inspections	104350	426200	Major Operating Equipment	(4,900)

The above budget amendment in the Building Inspections department is to reduce revenues for building permits and electrical inspections that are not anticipated to be achieved. The reduction is equipment will eliminate personal computer and a laptop computer with printer.

Central Communications	104375	332045	FEMA - Hanna 2008	8,952
Central Communications	104375	419300	Profess Services Medical	(14,000)
Central Communications	104375	426010	Computer Software	(20,797)
Central Communications	104375	426100	Equipment Less Than \$500	(1,757)
Central Communications	104375	426200	Major Operating Equipment	(24,000)
Central Communications	104375	431200	Telephone	(2,290)
Central Communications	104375	431500	Travel - Registrations	(525)
Central Communications	104375	435200	Repair & Maint Equipment	(497)
Central Communications	104375	444000	Service & Maint Contracts	(3,745)

The above budget amendment in the Central Communications department is to appropriate FEMA revenues and reduce operating expenditures identified by the department. The reduction includes the elimination of 6 computers.

Solid Waste	104720	332007	Scrap Tire Disposal Fees	28,000
Solid Waste	104720	334700	Solid Waste Fees	(656,000)
Solid Waste	104720	412100	Salary	(17,000)
Solid Waste	104720	418100	Payroll taxes and benefits	(7,000)
Solid Waste	104720	439907	Const & Demolition Trans Cont Serv.	(200,000)

Solid Waste 104720 455000 Capital Outlay - Equipment (36,633)

The above budget amendment in the Solid Waste department is to appropriate additional revenue expected from scrap tire disposal fees and to reduce the revenues anticipated to be a shortfall in the construction and demolition landfill tipping fee revenues. Expenditures for lapses salaries, payroll taxes and benefits and contracted services for hauling and disposing of debris are recommended along with the elimination of excess funds remaining after the purchase of a track hoe.

Environmental Protection 104799 465136 Lkwood Folly & Shallotte Dredging (250,500)
 Environmental Protection 104799 465137 Contaminated Soil Removal 1,422

The above budget amendment is to reduce the appropriation for the Lockwood Folly and Shallotte Dredging project based on receipt of the actual invoice and to appropriate an additional \$1,422 of funds for the contaminated soil removal project.

Urgent Repair Program 104907 449983 Urgent Repair Program Expense 2009 15,000

The above budget amendment is to appropriate the grant match for the urgent repair program as the grant award was made.

Code Enforcement 104908 426200 Major Operating Equipment (1,100)

The above budget amendment is to eliminate office equipment from the code enforcement department budget.

Central Permitting 104909 335017 Property Development Fees (18,700)
 Central Permitting 104909 426200 Major Operating Equipment (1,220)

The above budget amendment is to reduce revenues from property development fees that are not anticipated to achieve budget and to eliminate funds budgeted for computer upgrades.

Planning 104910 335014 Zoning Application Fees 2,000
 Planning 104910 335023 Commercial Development Site Plan Review (6,500)
 Planning 104910 383912 CAMA Permits (1,000)
 Planning 104910 412100 Salary (102,000)
 Planning 104910 418100 Payroll taxes and benefits (43,000)
 Planning 104910 419900 Professional Services – Other 15,000
 Planning 104910 426000 Supplies & Materials (5,000)
 Planning 104910 426200 Major Operating Equipment (7,000)
 Planning 104910 439100 Advertising (8,500)
 Planning 104910 439900 Contract Services (9,200)

The above budget amendment is to increase zoning fee revenues and decrease site plan review and CAMA permit revenues. The amendment is to reduce expenditures for lapsed salaries, payroll taxes and benefits and adjust other budget amounts as identified by the department including the elimination of computer equipment.

Brunswick County Schools 105911 465200 Current Expense (766,500)
 Brunswick County Schools 105911 465200 Current Expense 766,500

The above budget amendment is to decrease the operating appropriation for Brunswick County Schools based on the estimated tax collection rate of 96% rather than the 98% budgeted amount. The amendment also increases the operating appropriation for Brunswick County Schools by providing the tax collections from prior years to the schools as an appropriation to the current year operating budget rather than as a transfer to the Special School Capital Reserve Fund.

Parks & Recreation Maintenance 106132 435102 Repair & Maintenance Grounds 50,000
 Parks & Recreation Maintenance 106132 454000 Capital Outlay - Vehicle (4,678)
 Parks & Recreation Maintenance 106132 455000 Capital Outlay - Equipment (34,737)
 Parks & Recreation Maintenance 106132 457101 Capital Outlay-Lockwood Folly (329,745)
 Parks & Recreation Maintenance 106132 457102 Capital Outlay-Northwest (8,280)
 Parks & Recreation Maintenance 106132 457103 Capital Outlay-Shalotte (442,253)
 Parks & Recreation Maintenance 106132 457104 Capital Outlay-Smithville (50,000)
 Parks & Recreation Maintenance 106132 457105 Capital Outlay-Towncreek (391,535)
 Parks & Recreation Maintenance 106132 457106 Capital Outlay-Waccamaw (250,159)
 Parks & Recreation Maintenance 106132 457109 Capital Outlay-Brunswick (14,144)

			River	
Parks & Recreation Maintenance	106132	457111	Capital Outlay-Leland	(36,925)
Parks & Recreation Maintenance	106132	457112	Capital Outlay-Navassa	(39,555)
Parks & Recreation Maintenance	106132	457113	Capital Outlay-Dutchman Crk	(36,429)

The above budget amendment is to eliminate all capital funding in the Park and Recreation budget. Many of the projects have been carried over from several years. The amendment appropriates \$50,000 to the repair and maintenance of grounds as it is anticipated to be needed in this fiscal year.

General Fund Transfer to Public Housing	109800	498011	Reduced from General Fund	(83,500)
General Fund Transfer to Health Fund	109800	498013	Reduced from General Fund	(45,100)
General Fund Transfer to Social Services Fund	109800	498014	Reduced from General Fund	(447,139)
General Fund Transfer to Special School Capital Reserve	109800	498024	Reduced from General Fund	(766,500)
General Fund Transfer to School Capital Reserve	109800	498027	Reduced from General Fund	(499,356)

The above budget amendment is to appropriate the effect of General Fund budget amendments as they impact other funds. The savings proposed for the Public Housing fund are expected to reduce General Fund appropriations by \$83,500, Health Fund savings are expected to reduce General Fund appropriations by \$45,100, Social Services fund are expected to reduce General Fund appropriations by \$447,139. The use of prior year excess ad valorem collections in the current school operating budget will reduce the transfer to the special school capital reserve by \$766,500. The lower projection for sales tax collections will reduce the transfer to the school capital reserve by \$499,356.

Contingency 19910 499101 Emergency Contingency (90,465)

The above budget amendment is to eliminate funds in the emergency contingency.

			Miscellaneous Public Housing	
Public Housing-Section 8	114971	383965	Fees	10,000
Public Housing-Section 8	114971	412100	Salary	(63,500)
Public Housing-Section 8	114971	418100	Payroll taxes and benefits	(10,000)
			Transfer from General Fund for Revenue Reductions	
Public Housing Transfer	119800	398110	Recommended	(83,500)

The above budget amendment is to appropriate additional revenue in the Public Housing Fund and to reduce appropriations for lapsed salaries, payroll taxes and benefits with the resulting savings in a transfer of funds from the General Fund.

Food Services	124265	335002	Meal Sales - Jail	(150,000)
Food Services	124265	399100	Fund Balance Appropriation	150,000

The above budget amendment is to reduce revenue for jail meals to amounts expected to be realized with an appropriation from the fund balance in the food services fund.

Family Health	135100	412100	Salary	(31,500)
Family Health	135100	418100	Payroll taxes and benefits	(13,600)
Environmental Health	135181	335005	Local Fees	(403,000)
Environmental Health	135181	412100	Salary	(308,000)
Environmental Health	135181	418100	Payroll taxes and benefits	(95,000)
			Transfer from General Fund for Revenue Reductions	
Health Transfer	139800	398110	Recommended	(45,100)

The above budget amendment is to reduce environmental health fees and lapsed salaries, payroll taxes and benefits in the Health Fund along with the resulting transfer from the General Fund.

DSS-Administration	145310	332000	DSS State Revenues Restricted	(101,852)
DSS-Administration	145310	412100	Salary-Regular	(124,114)
DSS-Administration	145310	412300	Salary-Merit	(7,447)
DSS-Administration	145310	418100	Payroll taxes and benefits	(10,064)
DSS-Administration	145310	418200	Retirement	(13,025)
DSS-Administration	145310	418300	Group Insurance	(32,000)
DSS-Administration	145310	418400	Disability & Long Term Insurance	(4,341)
DSS-Administration	145310	439801	Medical Assistance	(300,000)
DSS-Administration	145310	454000	Capital Outlay – Vehicle	(58,000)
Community Alternative Program	145377	412100	Salary	(18,000)
Community Alternative Program	145377	418100	Payroll taxes and benefits	(11,000)
Title III In Home Care	145862	412100	Salary	(36,000)
Title III In Home Care	145862	418100	Payroll taxes and benefits	(22,000)
			Transfer from General Fund for Revenue Reductions	
DSS Transfer	149800	398110	Recommended	(447,139)

The above budget amendment is to reduce lapsed salaries, payroll taxes and benefits for lapsed salaries due to the freezing of 1 Income Maintenance Supervisor II, 1 Child Support Supervisor, 2 Office Assistant III and 3 Human Resources Aide positions in the Social Services Department for the remainder of FY 2008-09. In addition, the budget reduction eliminates 2 medium size vehicles and 1 SUV from the capital outlay budget.

School Capital Reserve	279800	398110	Transfer from General Fund	(499,356)
School Capital Reserve	279800	399100	Fund Balance Appropriation	499,356
Special School Capital Reserve	249800	398110	Transfer from General Fund	(766,500)
Special School Capital Reserve	249800	399100	Fund Balance Appropriation	(766,500)

The above budget amendment is to appropriate School Capital Reserve Fund Balance in the School Capital Reserve to restore the anticipated loss of capital funding due to an estimated shortfall in local option sales tax and to appropriate Special School Capital Reserve Fund Balance in the Special School Capital Reserve to restore the loss of capital funding due to using prior year tax collections to offset the projected operating budget shortfall.

Register Of Deeds Technology Fund	324180	398110	Trans from General Fund	(25,100)
Register Of Deeds Technology Fund	324180	412100	Salary	(19,000)
Register Of Deeds Technology Fund	324180	418100	Payroll taxes and benefits	(6,100)

The above budget amendment is to reduce the appropriation from the General Fund to the technology fund based as required by statute due to lower anticipated earnings and to reduce the technology fund for anticipated lapsed salaries, payroll taxes and benefits.

Wastewater - Administration	627210	371306	Late Penalty Fees	45,000
Wastewater - Administration	627210	371308	Base Service Fees	14,000
Wastewater – Administration	627210	459000	Capital Outlay - Improvements	(29,950)
Wastewater Collection	627220	371402	Taps & Connections	(175,000)
Wastewater Collection	627220	383961	Other Sales and Service	(85,000)
Wastewater Collection	627220	455000	Capital Outlay - Equipment	(91,831)

Wastewater Collection	627220	459000	Capital Outlay - Improvements	(70,743)
Wastewater - Debt Service	629100	371404	Capital Recovery Fees	(618,850)
			WBRWWTP-Oak Island Debt	
Wastewater - Debt Service	629100	383288	Reimbursement	(1,070,701)
Wastewater - Debt Service	629100	477003	Contingency	(878,177)
Wastewater Fund Transfer	629800	371309	Transmission Lines	(254,000)
			Transfer from Wastewater	
Wastewater Fund Transfer	629800	398664	Reserve	1,073,850
Wastewater Capital Reserve	649800	464268	Transmission Line Reserve	(1,073,850)
			Transfer to Wastewater	
Wastewater Capital Reserve	649800	498062	Enterprise	1,073,850

The above budget amendment is to reduce the Wastewater fund for revenues that are not anticipated to achieve budget and increase those that are expected to exceed budget. The amendment reduces equipment and improvements from the original budget. The budget reduces the revenue from Oak Island and the contingency. The amendment records a transfer from the Wastewater Capital Reserve resulting from the delay of a transmission line improvement project.

Chairman Sue moved to approve the 2008-2009 Budget Amendments as presented. The vote of approval was unanimous.

11. County Manager's Report

Marty Lawing, County Manager,

1. Reminded the Board of the upcoming Municipal Breakfast and Board Retreat
2. Informed of a letter received from the Town of Calabash relating to the wastewater system that has been on hold for 6 months. Staff requested that they move forward with the project and they have submitted a request for the county to bid the project with two options. Option 1 would be to bid the entire project as designed which would include all the unsewered areas in the town and Option 2 would include only Calabash North and exclude Calabash Acres and Pine Burr Acres. Staff has communicated with engineers and the county is inclined to accommodate this request and hope that competitive bids are received and they will decide to do the whole project.
3. Informed that the appropriation applications were complete to be presented to our Senator and Congressman during the NaCo Conference in Washington, which includes the Calabash Wastewater Project and Leland Senior Center Project requesting a \$250,000 appropriation grant.
4. Informed that in an email from the NC Association of County Commissioners, information was given that the State has diverted approximately \$300,000,000 of State and Local funds to help the State with cash flow problems. The sources of those diversions is \$50,000,000 from Lottery Reserve and \$50,000,000 from the Public School Textbook Fund, \$100,000,000 from Clean Water Management Trust Fund and \$100,000,000 from ADM funds, used for school construction. Also, information was received that the contribution toward Medicaid should save Brunswick County \$428,000 being retroactive from October 2008 thru May 2009. Beginning July 1, 2009 the county contribution to Medicaid goes away.
5. The Assistant County Manager informed that the NaCo Prescription Drug cards are now available and have been distributed to the Health Department, DSS, Veterans Services, Brunswick Senior Resources Inc., Communities in Schools Family Resource Centers and all county libraries. The Board asked Staff to see if Brunswick Family Assistance could possibly be a distribution point.

IX. BOARD APPOINTMENTS

1. Equalization and Review Board

Commissioner Warren nominated Mack Hewett, James Shafor, Willie Gore, Barbara Cumbee and Ira Butler for re-appointment to the E&R Board. Commissioner Phillips moved to close the nominations. The vote of approval was unanimous. Commissioner Warren moved to approve the appointments of Hewett, Shafor, Gore, Cumbee and Butler. The vote of approval was unanimous. Mack Hewett, James Shafor, Willie Gore, Barbara Cumbee and Ira Butler were reappointed to serve another two-year term that will expire on April 1, 2011.

2. Rural Transportation Advisory Committee (Added Under Adjustments to the Agenda)

Commissioner Phillips nominated Marty Cooke to serve on the RTAC due to a conflict with his work schedule in attending the meetings. Chairman Sue moved to close the nominations. The vote of approval was unanimous. Chairman Sue moved to approve the appointment of Marty Cooke. The vote of approval was unanimous. Commissioner Cooke will fill the unexpired term of Commissioner Phillips that will expire in December 2010.

X. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication for Water and Sewer lines for Eagle Creek, Phase I (Huey Marshall)

Huey Marshall, County Attorney, explained that these lines were ready for acceptance into the county with a worth of \$156,105.00 for water lines and \$486,406.00 for sewer lines.

Commissioner Phillips moved to approve the Deed of Dedication for Water and Sewer Lines for Eagle Creek, Phase I. The vote of approval was unanimous.

2. Deed of Dedication for Fire Lines for Building T4 and T10, Beacon Townes at Carolina Shores (Huey Marshall)

The County Attorney explained that these lines were ready for acceptance into the county system with a worth of \$3,400 for Fire Lines.

Commissioner Phillips moved to approve the Deed of Dedication for Fire Lines for Building T4 and T10, Beacon Townes at Carolina Shores. The vote of approval was unanimous.

3. Resolution Supporting Creation of Insurance Commission

Huey Marshall, County Attorney, explained that there has been discussion to ask the General Assembly to create greater oversight over the Insurance Commission in the setting of insurance rates. A resolution has been submitted to add Brunswick County in supporting delaying implementation of rate increases in home insurance.

Vice-Chairman Norris moved to approve the Resolution in Support of Legislation Delaying the Implementation of the Rate Increases in Home Insurance. The vote of approval was unanimous.

RESOLUTION IN SUPPORT OF LEGISLATION DELAYING THE IMPLEMENTATION OF THE RATE INCREASES IN HOME INSURANCE

Whereas, recent actions by the North Carolina Insurance Commission has resulted in disproportionate rate increases under the Beach Plan and the F. A. I. R. Plan, and

Whereas, the rapid onset of the rate increases does not offer sufficient warning or adequate time to adjust to the increases, and the rate payers in the coastal counties are still confused as to the justification of the rate hikes, and

Whereas, issues of this magnitude could easily be examined for underlying reasons that might or might not be related to the history of loss, the anticipation of loss, or the true reasons for loss, and

Whereas, looking into the matter for the true reasons for the acute increases would be to everyone's advantage.

Now therefore, the Brunswick County Commissioners are hereby resolved to instruct the legislative delegation of the County to seek a postponement of the rate increases, until such time as clear and convincing evidence becomes available that the rate increases are based upon factual loss in the coastal regions.

This the 2nd day of March, 2009.

s/William M. Sue, Chair
Brunswick County Commissioners

Attest:

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

4. Closed Session 7:34 p.m.

Commissioner Phillips moved to enter Closed Session pursuant to 143-318.11 (a) (1) and (a) (3) to prevent the disclosure of privileged information and to consult with the Attorney to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action. The vote of approval was unanimous.

At 9:01 p.m. in Open Session, Commissioner Phillips moved to expand Closed Session to include (a) (6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee. The vote of approval was unanimous.

Reconvened 9:29 p.m.

Chairman Sue called the Open Session back to order and announced that the action taken in Closed Session will be made public when filed with the Clerk of Court.

Huey Marshall, County Attorney, informed that the Board had accrued an undertaking for the purposes of lobbying for hardened groins. Mayor Debbie Smith and Mayor Harry Simmons notified that the group had been named Save Our Sands, The Inlet Committee. The previous amendment does not state that name.

Chairman Sue moved to include the name Save Our Sands, The Inlet Committee on the previous agreement. The vote of approval was unanimous.

XI. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

XII. ADJOURNMENT

Vice-Chairman Norris moved to adjourn the Regular Meeting at 9:30 p.m. The vote of approval was unanimous.

William M. Sue, Chairman

Deborah (Debby) Gore, Clerk to the Board