

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
APRIL 6, 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. 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

Sgt. 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 Warren requested to add additional comments that were made during discussion regarding Public Housing to the March 19, 2009 Board Retreat Minutes. The Chairman directed to Clerk to make these additions.  
Vice-Chairman Norris 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. Larry Lamert, Mayor of Bald Head Island, asked that the Board support keeping the Beach Fund in the Governor's budget and support legislation to fight for terminal structures. Mayor Lamert also asked for support to allocate funds in the Federal Budget for regional and national organizations that support beaches, adding that Bald Head Island generates \$2 billion tax dollars each year and is experiencing severe erosion at this time. Commissioner Cooke offered that he had visited Bald Head Island and noted that 16 soft groins are being undermined and several dunes are in danger on the island.
2. Randy Thompson, EMS Director, thanked the Board for Proclaiming April 12-18, 2009 as Telecommunicator's Week and expressed appreciation for the recognition of the great service and dedication provided to Brunswick County by its Telecommunicators.

**V. APPROVAL OF CONSENT AGENDA**

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

- A. **Minutes**
  - 1. **March 16, 2009 Regular Meeting Minutes**
  - 2. **March 17, 2009 Board Retreat Minutes**
  - 3. **March 18, 2009 Board Retreat Minutes**
  - 4. **March 19, 2009 Board Retreat 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
Grant Fund	State Revenues Restricted	238176-332000	\$48,000	
Grant Fund	Patronie's Pizza	238176-465142	\$48,000	

The budget amendment above is to appropriate state revenues for the Rural Center Rehabilitation Grant for Patronie's Pizza located at 2625 Holden Beach Road in Supply. This grant requires that four new positions will be created and the grant match will be in-kind from the economic development commission or, if need be, a contribution from the business itself.

Fund	Description	Code	Increase	Decrease
General Fund	State Revenues Restricted	106131-332000	\$2,500	
General Fund	Youth Athletics	106131-423116	\$2,500	

The budget amendment above is to appropriate revenues for the NRPA/USA Football Grant in the amount of \$2,500. These funds are restricted to use for program expenses associated with the Brunswick County youth football program.

Fund	Description	Code	Increase	Decrease
Health Fund	State Revenues Restricted	135169-332000	\$54,537	
Health Fund	Salaries & Wages Cell	135169-412205	\$250	
Health Fund	Travel Mileage	135169-431100	\$9,000	
Health Fund	Telephone	135169-432100	\$2,000	
Health Fund	Postage	135169-432500	\$500	
Health Fund	Electricity	135169-433100	\$500	
Health Fund	Contracted Services	135169-439900	\$42,287	

The budget amendment above is to appropriate additional state revenues for the WIC-Client Services Program in the amount of \$54,537. These funds are restricted to use for program expenses associated with the WIC program.

Fund	Description	Code	Increase	Decrease
Hospital Authority Fund	Lease Fees	765110-383401	\$32,254	
Hospital Authority Fund	Professional Services - Legal	765110-419200	\$25,470	
Hospital Authority Fund	Professional Services - Other	765110-419900	\$4,100	
Hospital Authority Fund	Office Supplies	765110-426000	\$100	
Hospital Authority Fund	Travel	765110-431200	\$1,000	
Hospital Authority Fund	Postage	765110-432500	\$84	
Hospital Authority Fund	Advertising	765110-439100	\$500	
Hospital Authority Fund	Misc Expense	765110-449900	\$1,000	

The budget amendment above is to appropriate Lease fees for the hospital authority budget in the amount of \$32,254. The anticipated revenues are \$50,000 for lease fees and \$11,854 of interest earnings but the authority choose to only appropriate expenditures of \$32,254 so that the remainder will accrue to the fund balance of the fund.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	NCDOT Revenues	438153-332059	\$81,850	
County Capital Project Fund	Airport Grant 36237.45.8.1 - Engineering	438153-464001	\$10,000	
County Capital	Airport Grant 36237.45.8.1	438153-464002	\$71,850	

Project Fund	– Engineering			
County Capital Project Fund	Airport Grant 36237.45.8.1 – Revenue	438157-332088	\$62,000	
County Capital Project Fund	Airport Grant 36237.45.8.1 – Expenditures	438157-449801	\$62,000	

The budget amendment above is to appropriate additional NCDOT revenue for the airport grant projects 36237.45.8.1 in the amount of \$81,850 and 36244.58.4.1 in the amount of \$62,000.

Approval of the associated capital project ordinances below is requested:

**County of Brunswick, North Carolina  
Airport Capital Project Ordinance  
36237.45.8.1 County Capital Project (438153)**

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 for the 36237.45.8.1 Capital Project:

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

Section 3. This Capital Project Ordinance shall be entered into the minutes of the April 6, 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  
Airport County Capital Project (438157)**

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 for the 36244.58.4.1 Capital Project:

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

Section 3. This Capital Project Ordinance shall be entered into the minutes of the April 6, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
Education Capital Project Fund	Investment Earnings	428214-383100	\$5,571	
Education Capital Project Fund	PRC 913 Interest Earnings	428214-464101	\$5,571	

The budget amendment above is to appropriate additional bond proceeds investment earnings revenue in the Belville Classroom additions capital project. The county earned investment earnings in excess of the allowable amounts for a tax exempt bond transaction and did not meet the time requirements for expending the proceeds. The County is required to remit \$12,790.58 to the Internal Revenue Service no later than April 2, 2009 which will be paid from interest proceeds.

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina  
Capital Project Ordinance  
Belville 8 Classrooms Education Capital Project (428214)**

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 for project costs:

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

Contributions from School Capital Project Investment Earnings 360,571  
 Total Project \$2,505,571

Section 3. This Capital Project Ordinance shall be entered into the minutes of the April 6, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
Education Capital Project Fund	Investment Earnings	428209-383100	\$950,156	
Education Capital Project Fund	Construction	428209-464002	\$950,156	

The budget amendment above is to appropriate investment earnings revenue in excess of amounts currently budgeted for the Brunswick Community College projects.

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina  
 Capital Project Ordinance**

**Brunswick Community College Education Capital Project (428209)**

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 for project costs:

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

Contributions from GO Bond Premium 476,476  
 Contributions from Project Investment Earnings 1,189,435  
 Total Project \$31,665,911

Section 3. This Capital Project Ordinance shall be entered into the minutes of the April 6, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Wellness Center Misc Revenue	438192-383900	\$3,500	
County Capital Project Fund	Wellness Center Construction	438192-464002	\$3,500	

The budget amendment above is to appropriate \$3,500 in grant funds received from the NCACC for use in the renovation of the wellness center and the purchase of the wellness equipment.

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina  
 Capital Project Ordinance**

**Wellness Center County Capital Project (438192)**

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 for the Wellness Center Capital Project:

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

Section 3. This Capital Project Ordinance shall be entered into the minutes of the April 6, 2009 meeting of the Brunswick County Board of Commissioners.

**D. JCPC Program Amendments**

Staff requests approval of the Brunswick County Boys and Girls Club Unit Program Agreement, JCPC Administration budget decrease and revised Funding Plan for 2008-2009, and the Revised Program Agreement for Providence Home and Teen Court indicating the increase in funding of \$5,805.00 for each program.

Fund	Description	Code	Increase	Decrease
General Fund	JCPC Admin Grant Revenue	105833-332000		\$6,610
General Fund	JCPC Admin Grant Expense	105833-465500		\$6,610
General Fund	JCPC Boys & Girls Grant Revenue	105859-332000		\$5,000
General Fund	JCPC Boys & Girls Grant Expense	105859-465500		\$5,000
General Fund	JCPC Teen Court Grant Revenue	105846-332000	\$5,805	
General Fund	JCPC Teen Court Grant Expense	105846-465500	\$5,805	
General Fund	JCPC Providence Home Grant Revenue	105843-332000	\$5,805	
General Fund	JCPC Providence Home Grant Expense	105843-465500	\$5,805	

**E. Veteran Government Bond, Stamp and Coin Program Resolution**

Staff requests approval of a Resolution supporting a Veteran Government Bond, Stamp and Coin Program.

**VETERAN GOVERNMENT BOND, STAMP AND COIN PROGRAM RESOLUTION**

**WHEREAS**, the nation is blessed with men and women who voluntarily swear an oath to defend the Constitution of the United States of America against all enemies, foreign and domestic;  
**WHEREAS**, these men and women make great personal sacrifices in the name of our Constitution thereby ensuring the perpetuation of our individual liberties;  
**WHEREAS**, these same men and women voluntarily make great personal sacrifices to carry democracy and extend the freedoms we enjoy to the under privileged of the world;  
**WHEREAS**, some of these men and women will incur great personal hardships and catastrophic injury in the performance of their duties;  
**WHEREAS**, we feel duty bound to honor, support, and provide relief to these warriors, and their families;  
**NOW, THEREFORE**, the Brunswick County Board of Commissioners does hereby resolve its total and unequivocal support of an initiative implementing a new government bond, stamp, and coin program, the proceeds from which shall be used exclusively for those warriors and their families who have bore the brunt of preserving our freedoms and extending those freedoms throughout the world.

Adopted this 6<sup>th</sup> day of April, 2009.

s/William M. Sue, Chairman  
 Brunswick County Board of Commissioners  
 ATTEST:  
 s/Deborah (Debby) Gore, CMC  
 Clerk to the Board

**F. Telecommunications Week Proclamation**

Staff requests approval to Proclaim Telecommunications Week April 12-18, 2009.

**Proclamation**

To designate the week of April 12-18, 2009 as  
 National Telecommunicator’s Week

*Whereas*, the Congress of the United States, and the President of the United States have established the second week of April as National Telecommunicator’s Week; and  
*Whereas*, as a corps of dedicated Public Safety Telecommunicator’s serve the county of Brunswick; and  
*Whereas*, emergencies can occur at anytime requiring sheriff, police, fire or emergency medical services; and  
*Whereas*, when an emergency occurs the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and  
*Whereas*, the safety of our deputy sheriffs, police officers, firefighters and emergency medical service’s personnel is dependent upon the quality and accuracy of information obtained from citizens who telephone the Brunswick County Communications Center; and  
*Whereas*, public safety dispatchers are the first and most critical contact our citizens have with emergency services; and

*Whereas*, public safety dispatchers are the single vital link for our law enforcement, fire and emergency medical services personnel by monitoring their activities by radio, providing them information and ensuring their safety; and

*Whereas*, public safety dispatchers of the Brunswick County Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

*Whereas*, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their duties in the past year;

Now therefore be it resolved on behalf of the citizens of Brunswick County, NC and adopted this 6<sup>th</sup> day of April, 2009, by the Brunswick County Manager and County Commissioners that the week of April 12-18, 2009, is recognized as National Communicator's Week.

Brunswick County Board of Commissioners

s/William M. Sue, Chairman

Attest:

s/Deborah (Debby) Gore,

Clerk to the Board

#### **G. EMS-MOA Responder Training Program**

Staff requests approval of a Memorandum of Agreement between N.C. Department of Crime Control and Public Safety and Brunswick County and the Associated FY-2008-2009 Budget Amendment.

#### **H. EMS-MOA with NC Department of Transportation for Debris Removal**

Staff requests approval of a Memorandum of Agreement between Brunswick County and the North Carolina Department of Transportation.

### **VI. PRESENTATION**

#### **1. Sexual Assault Awareness Month Proclamation (Meredith Peters)**

Representatives from the Crisis Intervention Center thanked the Board for continued support.

#### **Sexual Assault Awareness Month**

**WHEREAS**, sexual assault touches the lives of all Brunswick County citizens, whether as a victim or survivor, or as a family member, significant other, neighbor, friend, or co-worker of a survivor; and

**WHEREAS**, Rape Crisis Center staff and DEDICATED volunteers served more than 43 new sexual violence victims in the past year through in-person rape crisis hospital response to offer support, process options and advocacy from the forensic evidence collection, criminal proceedings, and throughout the healing process, providing free and confidential individual counseling and support group services; and

**WHEREAS**, it is critical to EDUCATE citizens regarding the prominent incidence of sexual violence, increase Brunswick County's awareness of sexual assault and INSPIRE greater action to reduce sexual violence, and to ENHANCE cooperation between agencies that serve rape victims; and

**WHEREAS**, Rape Crisis Center of Coastal Horizons Center, Inc. and the Brunswick County Sexual Assault Response Team WELCOME support and assistance from Brunswick County citizens to CREATE a society free from sexual violence, rape, sexual abuse and sexual exploitation – a community where sexual predators ARE NOT WELCOME and WILL be held ACCOUNTABLE.

**NOW, THEREFORE, BE IT PROCLAIMED** by the Brunswick County Board of Commissioners that the month of April 2009 be recognized as "Sexual Assault Awareness Month" in Brunswick County; and

**BE IT FURTHER PROCLAIMED** that the Board of Commissioners pledge themselves and asks our citizens, professional and volunteer, to TAKE ACTION NOW to assist Rape Crisis Center's UNTIRING efforts to eliminate sexual violence from our families, our neighborhoods, and our community. This is the 6<sup>th</sup> day of April, 2009.

BRUNSWICK COUNTY

s/William M. Sue, Chairman

ATTEST:

s/Deborah (Debby) Gore, CMC

Clerk to the Board

#### **2. Parks and Recreation Special Population Award Recognition (Jim Pryor)**

Jim Pryor, Parks and Recreation Director, recognized Steve Goodwin, Special Populations Coordinator, for receiving the Distinguished Therapeutic Recreation Department Award. This award honors a department that best exemplifies highest standards of practice, innovation and service delivery for therapeutic recreation programs. The Board congratulated Mr. Goodwin on his accomplishments.

### **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 CAMA Land Use Map Amendment LU-33 (Leslie Bell)  
(Planning Board and Planning Staff recommend unanimous approval).**

**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 input regarding Proposed CAMA Land Use Map Amendment LU-33.

Leslie Bell, Planning Director, explained the following:

**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 022000222, 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.

Staff recommends approval for a Land Use Map Amendment to LDR (Low Density Residential) for a portion of 022000222, 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 Board recommends approval a Land Use Map Amendment to LDR (Low Density Residential) for a portion of 022000222, 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.

**II. PUBLIC COMMENTS**

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

**III. ADJOURN**

Vice-Chairman Norris moved to close the Public Hearing at 6:47 p.m. The vote of approval was unanimous

Vice-Chairman Norris moved to approve Second Reading and Adoption of CAA Land Use Map Amendment LU-33. The vote of approval was unanimous.

**2. Proposed UDO Text Amendment 09-02 (Leslie Bell)  
(Planning Board and Planning Staff recommend unanimous approval).**

**I. CALL TO ORDER**

Chairman Sue called the Public Hearing to order at 6:47 p.m. and announced that the purpose of the hearing was to receive input regarding Proposed UDO Text Amendment 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 – Item 6 [DISCUSSION OF ITEMS 3 THROUGH 6 IS COMBINED]**

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 Board recommends that the Board of Commissioners approve the proposed text amendments.

## **II. PUBLIC COMMENTS**

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

## **III. ADJOURN**

Vice-Chairman Norris moved to close the Public Hearing at 6:51 p.m. The vote of approval was unanimous.

Commissioner Phillips moved to approve Second Reading and Adoption of UDO text Amendment 09-02. The vote of approval was unanimous.

### **3. Proposed Map Amendment 09-635 (Leslie Bell) (Planning Board and Planning Staff recommend unanimous approval).**

## **I. CALL TO ORDER**

Chairman Sue called the Public Hearing to order at 6:52 p.m. and announced that the purpose of the hearing was to receive input regarding Proposed Map Amendment 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].

## **II. PUBLIC COMMENTS**

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

## **III. ADJOURN**

Vice-Chairman Norris moved to close the Public Hearing at 6:55 p.m. The vote of approval was unanimous.

Commissioner Cooke moved to approve Second Reading and Adoption of Map Amendment 09-635. The vote of approval was unanimous.

#### **4. CDBG Water Hook-Up Grant Program Close Out (Louise McGarva)**

##### **I. CALL TO ORDER**

Chairman Sue called the Public Hearing to order at 6:55 p.m. and announced that the purpose of the hearing was to receive input regarding the Community Development Block Grant Program Close Out.

Louise McGarva, Community Development Administrator explained that the Brunswick County Planning and Community Development Department applied for and received a Community Development Block Grant in the amount of \$75,000 to assist low income residents hook-up to existing water liens that were operational for at least one year. The CDBG Water Hook-up grant has successfully connected 39 households to the county water system.

As part of the citizen participation requirement, a public hearing must be held for the close-out of this CDBG project.

##### **II. PUBLIC COMMENTS**

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

##### **III. ADJOURN**

Commissioner Cooke moved to close the Public Hearing at 6:57 p.m. The vote of approval was unanimous.

##### **VIII. ADMINISTRATIVE REPORT**

###### **1. Planning-CDBG Water Hook-Up Grant Program Close-Out (Louise McGarva)**

Staff requests approval of the Close-out Performance Report, Certification of Completion and Certification of Close-out Public Hearing.

Louise McGarva, Community Development Administrator, explained that the Brunswick County Planning and Community Development Department applied for and received a Community Development Block Grant (CDBG) in the amount of \$75,000 to assist low income residents hook-up to existing water lines that were operational for at least one year. The CDBG Water Hook-up grant has successfully connected 39 households to the County water system. In order to complete the Closeout Process of the CDBG Water Hook-up Grant, the following closeout documents must be executed by the chief elected official:

1. Closeout Performance Report
2. Certification of Completion
3. Certification of Closeout Public Hearing

Vice-Chairman Norris moved to approve the Close-out Performance Report, Certification of completion and Certification of Close-out Public Hearing. The vote of approval was unanimous.

###### **2. Planning – Proposed Map Amendment Z-09-634 (Leslie Bell)**

Staff recommends approval for First Reading and setting Public Hearing for May 4, 2009 at 6:30 p.m.

Leslie Bell, Planning Director, explained the following:

###### **Item 1 (Map Amendment Z-634 – Mike Brown)**

Item 1 is a map amendment initiated by the property owner. This change from IG (Industrial General) to C-LD (Commercial Low Density) would allow for commercial use of Tax Parcels 02200024 and 0280000101 located on Andrew Jackson Highway (US 74/76) near Leland, NC. An amendment to the Official Brunswick County CAMA Land Use Map has been requested for Tax Parcels 02200024 and 0280000101 located on Andrew Jackson Highway (US 74/76) near Leland, NC.

This rezoning totals 177.56 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 Industrial to Commercial for Tax Parcels 02200024 and 0280000101 located on Andrew Jackson Highway (US 74/76) near Leland, NC.

Planning Board recommends approval to the Official Brunswick County CAMA Land Use Map from Industrial to Commercial for Tax Parcels 02200024 and 0280000101 located on Andrew Jackson Highway (US 74/76) near Leland, NC. [unanimous 7 to 0].

Vice-Chairman Norris requested to be recused from Proposed Map Amendment Z-09-634. Commissioner Cooke moved to recuse Vice-Chairman Norris. The vote of approval was unanimous.

Commissioner Phillips moved to approve First Reading of Proposed Map Amendment Z-09-634 and set a Public Hearing for May 4, 2009 at 6:30 p.m. The vote of approval was unanimous.

**3. Planning- Proposed Map Amendment Z-09-637 (Leslie Bell)**

Staff recommends approval for First Reading and setting Public Hearing for May 4, 2009 at 6:30 p.m.

Leslie Bell, Planning Director, explained the following:

**Item 1 (Map Amendment Z-637 – Gary Bullis)**

Item 1 is a map amendment initiated by the property owner. This change from R-6000 (Medium Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) would allow for commercial use of Tax Parcel 243IC024 located at 1700 Ocean Haven Road (SR 1183) and off Beach Drive (NC 179) and 14<sup>th</sup> Street near Ocean Isle Beach, NC.

This rezoning totals 1.29 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].

Vice-Chairman Norris moved to approve First Reading of Proposed Map Amendment Z-09-637 and set a Public Hearing for May 4, 2009 at 6:30 p.m. The vote of approval was unanimous.

**4. Planning – Proposed Professional Service Agreement with PBS&J (Leslie Bell)**

Staff recommends approving agreement with Post, Buckley, Schuh & Jernigan, Inc. for Updating Brunswick County's Multi-Jurisdictional Hazard Mitigation Plan.

Leslie Bell, Planning Director, explained the following:

In order to remain in compliance with the local hazard mitigation planning standards contained in 44 CFR 201.6 and as required by the Federal Emergency Management Agency (FEMA) and the North Carolina Division of Emergency Management (NCEM) Brunswick County must update its existing Multi-Jurisdictional Hazard Mitigation Plan (Plan). The first Brunswick County Hazard Mitigation Plan was adopted in July 2002 in response to both the Federal Disaster Mitigation Act of 2000 and changes in North Carolina Emergency Management law that required each local government develop and adopt a hazard mitigation plan in order to be eligible for certain State and Federal disaster relief funds. The Plan was then updated in April 2005 to expand the scope to include four municipalities within the County. Since the Plan is required to be updated every five years, the existing Plan must be updated no later than April 14, 2010.

A Request for Proposal (RFP) was developed by the Brunswick County Planning and Community Development Department with eight (8) firms responding. Of the 8 responding firms, three were short-listed and subsequent interviews were conducted. The firm of Post, Buckley, Schuh & Jernigan, Inc. is recommended by the Selection Committee based on the following selection criteria:

- Technical Approach/Project Schedule
- Experience of Proposed Personnel
- Prior Related Experience
- Responsiveness to Client Needs
- Cost-Effectiveness

Selection Committee Members include:

J. Leslie Bell, Brunswick County Planning & Community Development

Marc Pages, Brunswick County Planning & Community Development

Louise McGarva, Brunswick County Planning & Community Development

Delaney Aycock, Brunswick County Building Inspections

Brigit Flora, Brunswick County Engineering

Heather Heigl, Brunswick County Emergency Management Services

The Multi-Jurisdictional Hazard Mitigation Plan includes Brunswick County and the following municipalities:

- Boiling Spring Lakes
- Bolivia
- Calabash
- Leland
- Navassa
- Northwest
- St. James
- Sandy Creek
- Varnamtown

Following completion of the RFP, the City of Southport has requested to be included at an additional cost of \$1,226, included in the Project Cost Estimate. Each participating jurisdiction will be assessed a proportionate share of the \$40,786.00 total cost.

Commissioner Warren moved to approve the Agreement with Post, Buckley, Schuh & Jernigan, Inc. for Updating Brunswick County's Multi-Jurisdictional Hazard Mitigation Plan. The vote of approval was unanimous.

**5. Planning – Awarding U.S.D.A. Housing Preservation Grant (HPG) Rehabilitation Contracts (Louise McGarva)**

Staff recommends awarding Rehabilitation Contracts to E&R Investments, LLC and Malone Construction providing (4) Brunswick County citizens with residential repair work.

Louise McGarva, Community Development Administrator, explained that Brunswick County is in receipt of notification from the U.S.D.A. – Rural Development that the 2008 Housing Preservation Grant (HPG) award was received for the rehabilitation of 15 residential units in the aggregate amount of \$135,000. The County has identified four additional recipients for housing rehabilitation.

Staff requests to award the following contracts to:

E & R Investments, LLC for Donna Briggs, Boiling Spring Lakes, NC in the amount of \$6,144.78;

E & R Investments, LLC for Gail Reaves, Calabash, NC in the amount of \$6,679.44;

E & R Investments, LLC for Linda Perkins, Calabash, NC in the amount of \$7,669.37; and

Malone Construction for Annie Parker, Leland, NC in the amount of \$6,745.00.

The \$27,238.59 total cost for the repair contracts will be paid from HPG grant funds and the County's 50% match.

Funds were previously appropriated for grant project number 238174 in the amount of \$90,000 from grant proceeds and the local match of \$45,000 totaling \$135,000. There is currently an unencumbered balance of \$128,704 so a budget amendment is not necessary for the award of the contracts.

Vice-Chairman Norris moved to Award the Rehabilitation Contracts to E&R Investments, LLC and Malone Construction providing four (4) Brunswick County citizens with residential repair work. The vote of approval was unanimous.

**6. Parks & Recreation – Ocean Isle Beach Park Playground Proposal (Jim Pryor)**

Staff recommends approving Proposal of Cunningham and Associates for Ocean Isle Beach Park Playgrounds in the amount of \$199,993.54.

Jim Pryor, Parks and Recreation Director, explained that due to the fact that playground design and specification is essential for the safety and liability of the County, the 2 playgrounds scheduled for Ocean Isle Beach were removed from the construction contract and proposed separately. The 2 separate playground units for the park are part of the elements in the project covered under the NC Parks & Recreation Trust Fund grant for \$500,000. The facility budget for the playgrounds under the grants is \$200,000, which needs to be sufficed in order to meet the qualifications of the grant contract.

On February 26, 2009, a Request for Proposal was drafted by Jim Pryor and sent out to playground companies, with a proposal deadline of March 11, 2009. The goal of the RFP was to allow creativity in playground design and for us to get the most quality structures for our

budgeted money. Five proposals were received for this project. A selection committee comprised of Jim Pryor, Director of Parks & Recreation, Melinda Johnson, Special Events Coordinator (OIB Park apprentice) and Eileen Gardner, Risk Manager for the County reviewed the proposals and provided feedback.

The committee unanimously selected Cunningham & Associates representing the GameTime equipment and surfacing as the proposal to recommend to the Commissioners for approval. Since the construction contract for Ocean Isle Beach was awarded on March 16, 2009, it is important that we bring this element into the scope of the project at this time in order to coordinate implementation of the playground into the general construction of the project. The total cost of the proposal is \$199,993.54.

Commissioner Warren questioned if the Requests for Proposals were advertised in the paper and Mr. Pryor answered that Proposals were mailed out to vendors who in return mailed back to the county and were then reviewed by the selection committee who then made recommendations.

Commissioner Cooke moved to approve the Proposal of Cunningham and Associates for the Ocean Isle Beach Park Playground in the amount of \$199,993.54. The vote was 4 ayes (Cooke, Norris, Sue and Phillips) 1 nay (Warren).

#### **7. Ocean Isle Beach Park Engineering Service Contract (Jim Pryor)**

Staff recommends approving Contract with Thomas & Hutton Engineers for Engineering Services at Ocean Isle Beach Park.

Jim Pryor, Parks and Recreation Director, explained that during the planning and design of Phase 1 of the Ocean Isle Beach Park, it was discovered that environmental, water table, and sewer issues evolved creating a need for additional engineering services toward the project.

Haden Stanziale was the landscape architecture firm contracted in 2007 to complete the site design for the project. In this contract Thomas & Hutton engineers were working in scope with Haden Stanziale for minor engineering endeavors. At this point in the project, the need to bring Thomas & Hutton's engineering services to the forefront is needed.

Services included in this contract are for DOT roadway permitting for Old Georgetown Road, Geotechnical services, design and permitting for a low pressure pump station to service the site, engineer high density development through NCDENR Stormwater division, provide on-site construction observation/management services, supervise NPDES storm water monitoring requirements, and construction staking.

Total expenses for this contract is \$157,724.00. This expense will be funded from the Capital Project Ordinance for Ocean Isle Beach Park.

There was discussion questioning why the unsuitable soil issue was not discovered prior to the project beginning and why the wetland issues that triggered redesign on the park structure were not discovered until during the third quarter. Discussion also included road issues with the Department of Transportation and the length of sewer lines needed for the park to be connected to county sewer.

Commissioner Phillips moved to approve the Contract with Thomas & Hutton Engineers for Engineering Service for the Ocean Isle Beach Park. The vote was 4 ayes (Phillips, Sue, Norris and Cooke) 1 nay (Warren).

#### **8. Utilities- Revised Sewer Service Agreement with the City of Northwest (Jerry Pierce)**

Staff recommends approving the Amended Sewer Service Agreement with the City of Northwest.

Jerry Pierce, Utility Operations Director, explained that due to a lack of funding on the grants associated with the construction of the sewer collection system, the City of Northwest asked that their allocation in the existing Northeast Brunswick Regional Wastewater Treatment Plant be reduced from 175,000 gallons per day to 150,000 gallons per day. The reduction in allocated capacity would also reduce their capital charge to \$1,134,858.00.

The revised Sewer Service Agreement revises the allocated capacity and the associated capital charges. Staff recommends approval of the revised Sewer Service Agreement and to authorize the Chairman and Clerk to the Board to execute the agreement on behalf of the County.

Chairman Sue moved to approve the Amended Sewer Service Agreement with the City of Northwest. The vote of approval was unanimous.

**9. Utilities- Contract Amendment I to the Northeast Brunswick Regional Wastewater Project with the Town of Leland, Town of Navassa, and City of Northwest (Jerry Pierce)**

Staff recommends approving Contract Amendment No.1 to the Northeast Brunswick Regional Wastewater Project Sewer Service Agreements with the Towns of Leland, and Navassa and the City of Northwest.

Jerry Pierce, Utility Operations Director, explained that the utilities that contribute wastewater to the Northeast Brunswick Regional Wastewater Treatment Plant have requested that Brunswick County expand the plant to increase its capacity by 0.825 mgd. The proposed contract amendment obligates the municipalities to reimburse the County their proportionate share of the cost of the environmental work, plant design, and plant construction. The allocation of the plant expansion is as follows:

Town of Leland	412,500 gpd	50.0%
Town of Navassa	65,000 gpd	7.9%
City of Northwest	133,650 gpd	16.2%
Brunswick County	76,350 gpd	9.3%
North Brunswick SD	137,500 gpd	16.7%

The North Brunswick Sanitary District was provided a Contract Amendment No. 1 based upon their allocated flow in the plant and has elected not to execute Contract Amendment No. 1. Their Board has passed a resolution agreeing to reimburse the County their proportionate share of the environmental work and plant design only. Staff recommends approval of all Contract 1 Amendments and authorize the Chairman and Clerk to the Board to execute on behalf of the County.

Vice-Chairman Norris moved to approve Contract Amendment No. 1 to the Northeast Brunswick Regional Wastewater Project Sewer Service Agreements with the Towns of Leland, Navassa and the City of Northwest. The vote of approval was unanimous.

**10. Utilities- W.K. Dickson Engineering Contract (Jerry Pierce)**

Staff recommends Approving Contract with W.K. Dickson & Co.; Inc. to Design Northeast Regional Wastewater Plant Expansion and the Associated Budget Amendments and Capital Projects Ordinance.

Jerry Pierce, Utility Operations Director, requested that the Board authorize the Chairman and Clerk to the Board of Commissioners to execute an engineering contract with W. K. Dickson Consulting Engineering in amount of \$601,900 for the design of 825,000 gallons per day expansion of the Northeast Brunswick Regional Wastewater Treatment Plant and preparation of the required environmental assessment

The utilities that contribute flow to the Northeast Brunswick Regional Wastewater Treatment Plant (WWTP) requested that the County undertake the steps needed to expand the treatment capacity of the Northeast Brunswick Plant. The County sent Requests for Proposals to 14 engineering firms and received four proposals. Copies of the proposals were submitted to all of the utilities that contribute flow. Representatives of the utilities met to discuss the proposals in September 2008 and selected W. K. Dickson as the firm to design the plant expansion.

County staff negotiated a scope of work and associated final fee based upon the proposed plant expansion at that time. Subsequently, the utilities reduced their request to a 0.825 million gallons per day plant expansion. A new scope of work was negotiated and associated final fee. The final fee is \$601,900 and the cost associated with this contract will be reimbursed to the County based upon the allocated capacity in the expansion.

The final scope of work includes preparation of the required environmental assessment for the plant expansion. The environmental assessment will evaluate all of the direct and indirect impact of the project and recommend methods to minimize the negative impacts. The design of the 0.25 million gallons per day plant expansion is also included. The consultant will prepare the plans and specifications through the approval process and up to recommendation of award after the bid opening. The fee also includes funds for a flow reduction study for utilities contributing flow to the Northeast Brunswick WWTP. The flow reduction study if approved will reduce the capacity allocations used by the NC DENR.

The recommendation for funding is to advance reserve funds in anticipation of debt proceeds to be issued at the time the project is bid. The funds advanced by the County are planned to be repaid upon debt issuance with the exception of the sanitary district which contracted to reimburse the County directly. The funds are recommended to be advanced from funds currently held in the Wastewater Capital Reserve Fund that are either undesignated or available for appropriation.

The budget amendment below transfers \$170,785 of undesignated reserve funds, \$150,000 of funds designated for the project, appropriates investment earnings and SAD revenues in excess of amounts budgets of \$61,100, \$59,961 and \$1,844, transfers SAD Assessments of \$34,001 and transfers \$36,992 of Infiltration/Inflow funds as an advance to the Northeast Wastewater Plant Expansion Capital Project and appropriates a partner reimbursement of \$100,317 from the sanitary district.

Fund	Description	Code	Increase	Decrease
Wastewater Reserve Fund	Miscellaneous. Wastewater Project Undesignated Funds	649800-464264		\$170,785
Wastewater Reserve Fund	NE Brunswick Phase 1 Expansion	649800-464313		\$150,000
Wastewater Reserve Fund	Investment Earnings In Excess of Amounts Budgeted	649800-383100	\$61,100	
Wastewater Reserve Fund	SAD Revenue In Excess of Amounts Budgeted	649800-383223	\$59,961	
Wastewater Reserve Fund	SAD Revenue In Excess of Amounts Budgeted	649800-383261	\$1,844	
Wastewater Reserve Fund	SAD Assessments Undesignated	649800-464296		\$34,001
Wastewater Reserve Fund	Infiltration/Inflow Reduction Designated	649800-464322		\$36,992
Wastewater Reserve Fund	Transfer to Wastewater Capital Project	649800-498044	\$514,683	
Wastewater Capital Project Fund	Transfer from Wastewater Reserve Fund	448254-398664	\$514,683	
Wastewater Capital Project Fund	H2O to Go Reimbursement	448254-371411	\$100,317	
Wastewater Capital Project Fund	Engineering	448245-464001	\$615,000	

Approval of the associated capital project ordinance below is requested:

**County of Brunswick, North Carolina  
Wastewater Capital Project Ordinance  
Northeast Wastewater Plant Expansion Capital Project (448254)**

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 Northeast Wastewater Plant Expansion Capital Project:

H2O to Go Reimbursement	\$100,317
Contributions from WWCRC	<u>514,683</u>
Project Costs	615,000

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

Total Project	\$615,000
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Section 3. The following amounts are hereby appropriated in the Brunswick County Wastewater Capital Reserve Fund:

Contribution to Wastewater Capital Project	\$514,683
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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	\$514,683
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Section 5. This Capital Project Ordinance shall be entered into the minutes of the April 6, 2009 meeting of the Brunswick County Board of Commissioners

Commissioner Phillips moved to approve the Contract with W.K. Dickson & Co. Inc. to Design the Northeast Regional Wastewater Plant Expansion and the associated budget amendment and capital project ordinance. The vote of approval was unanimous.

**11. Utilities – Tetra Tech Contract Amendment (Jerry Pierce)**

Staff recommends approving Contract Amendment with Tetra Tech. Inc.

Jerry Pierce, Utility Operations Director, requested approval of a contract amendment with Tetra Tech in the amount of \$4,033 for the work associated with public hearing on the IBT Permit in the Waccamaw River Basin.

On October 6, 2008, the Board of Commissioners approved a contract with Tetra Tech, Inc., for the work associated with the preparation of a Notice of Intent of submission of an Interbasin Transfer Permit (IBT) and the development of the Scope of Work for the associated Environmental Impact Statement. Based upon guidance from the NC DENR Division of Water Resources, the Scope of Work included work associated with the holding of three public hearings on the proposed application. After the contract was signed and the Notice of Intent letter was sent to the NC DENR Division of Water Resources, the NC DENR staff informed the County that the County would have to hold four public hearings. The additional public hearing will be held in the Waccamaw River Basin at the Carolina Shores Town Hall.

The proposed contract amendment would increase the fee by \$4,033 and add the work associated with holding a fourth public hearing to the Scope of Work.

Vice-Chairman Norris moved to approve the Contract Amendment with Tetra Tech in the amount of \$4,033 for work associated with the Public Hearing on the Interbasin Transfer Permit in the Waccamaw River Basin. The vote of approval was unanimous.

**12. Utilities- Construction Grant & Loan Application Resolutions for Sunset Beach, & Calabash (Jerry Pierce)**

Staff recommends approving Resolutions.

Jerry Pierce, Utility Operations Director, requested approval of resolutions authorizing applications for grants and/or loans for the construction of improvements to the Sunset Beach Collection System and Calabash Collection System from the Construction Grants and Loans Section of the Division of Water Quality of the North Carolina Department of Environment and Natural Resources and authorizing the County Manager to sign grant-related documents.

The Construction Grants and Loans Section of the Division of Water Quality 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 Construction Grants and Loans Section has indicated that project applications submitted to be eligible for funding.

The County has entered into agreement with the Town of Sunset Beach and Town of Calabash to construct wastewater collection systems with those sections of the Towns that do not presently have sewer service available. The design of both projects is completed and both projects are in the permitting phase. Both projects are eligible for funding under the American Recovery and Reinvestment Act of 2009.

To submit an application, the Construction Grants and Loans Section of the Division of Water Quality 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 Resolutions authorizing applications for grants and/or loans for the construction of improvements to the Sunset Beach Collection System and Calabash Collection System from the Construction Grants and Loans Section of the Division of Water Quality of the North Carolina Department of Environment and Natural Resources and authorize the County manager to sign grant-related documents. The vote of approval was unanimous.

**13. Finance – Southern Health Partners Health Services Agreement Amendment #3 (Ann Hardy)**

Staff recommends Approving Amendment to Southern Health Partners Agreement.

Ann Hardy, Fiscal Operations Director, explained that Brunswick County entered into an agreement with Southern Health Partners, Inc. on July 1, 2005 to provide inmate healthcare. The



**15. Adoption of Mission Statement and Core Values (Marty Lawing)**

Staff recommends reviewing, modifying and adopting the proposed Mission Statement and Core Values for Brunswick County Government.

Marty Lawing, County Manager, explained that during the recent FY 2009-2010 Budget Retreat the Board of Commissioners discussed the mission statement and core values for the county government organization. Minor revisions were suggested to the mission statement adopted in 2006 and ten (10) core values were established.

Once adopted, the mission statement and core values will be shared with all county employees and reinforced on a continual basis to serve as guiding principles for conducting county business and delivering services.

There was a short discussion and Commissioner Cooke asked to change Integrity is Not Negotiable to Integrity is Paramount as the way we conduct our affairs. The way we hold the public trust and the way we treat other people should be totally transparent and open and equitable.

Commissioner Cooke moved to change Integrity is Not Negotiable to Integrity is Paramount. The vote of approval was unanimous.

**Brunswick County Mission Statement and Core Values**

**Mission Statement**

The government of Brunswick County, North Carolina exists to promote and sustain a superior quality of life. In partnership with our communities, we pledge to deliver cost effective services in a personal, responsive, respectful and innovative manner, to our residents and visitors alike.

**Core Values**

- Accountability
- Customer Service / Trust
- Dignity / Respect
- Diversity
- Environment
- Integrity is Paramount
- Professionalism
- Safety
- Stewardship of Public Resources
- Teamwork

**16. County Manager Report (Marty Lawing)**

The County Manager reviewed the recent Employee Newsletter, reminded the Board of the May 3-9, 2009 County Government Week observance, updated on the continued efforts to obtain stimulus fund and the Assistant County Manager updated the Board of the temporary closure of the Animal Shelter.

**IX. BOARD APPOINTMENTS**

**1. Fire Fee Committee (District 3 appointment)**

Commissioner Warren nominated Richard “Ed” Boguskie. Chairman Sue moved to close the nominations. The vote of approval was unanimous. Chairman Sue moved to approve the appointment of Mr. Boguskie. The vote of approval was unanimous. Richard Boguskie was appointed to serve the unexpired term of Linda Brinson on the Southport Fire Fee Committee.

**X. COUNTY ATTORNEY’S REPORT**

**1. Review Officers Resolution-Gracie James Hendrix and Ruth Teresa Click**

Huey Marshall, County Attorney, requested approval of a Resolution to Amend Review Officer Designation for Maps and Plats to add Gracie James Hendrix to execute the duties and obligations of a Review Officer and to remove the name of Ruth Teresa Click.

Commissioner Phillips moved to approve the Resolution to Amend Review Officer Designation. The vote of approval was unanimous.

**2. Deed of Dedication for Fire Lines Building T5-T9 and T17-T20, Beacon Townes at Carolina Shores**

Huey Marshall, County Attorney, explained that these lines were ready for acceptance into the county system with a worth of \$18,922.50 for Fire Lines.

Vice-Chairman Norris moved to approve the Deed of Dedication for Fire Lines, Building T5-T9 and T17-T20, Beacon Townes at Carolina Shores. The vote of approval was unanimous.

### 3. **Geodetic Survey Boundary Line Funding**

Huey Marshall, County Attorney, explained that the NC Geodetic Survey is a General Assembly funded service for accurately determining boundary lines of importance throughout the state. The Geodetic survey has proposed to establish the Brunswick/Columbus line at no cost to the counties. The process is dependent upon the request of the target counties. A contact agent must be appointed for Brunswick County.

Vice Chairman Norris moved to adopt the Resolution and with the concurrence of Columbus County, appoint Steve Randone as the contact agent for Brunswick County and request the North Carolina Geodetic Survey to survey the identified line. The vote of approval was unanimous.

## **RESOLUTION REQUESTING THE OFFICE OF NORTH CAROLINA GEODETTIC SURVEY CONDUCT A SURVEY OF THE BRUNSWICK COUNTY/COLUMBUS COUNTY LINE**

**WHEREAS**, there exists confusion and ambiguity concerning the boundary line between Brunswick County and Columbus County; and the uncertainty has adversely affected citizens of both counties as well as caused hardship for respective county staffs attempting to carry out their legal mandates; and

**WHEREAS**, Brunswick County is aware that Columbus County is desirous of definitively establishing the boundary and in fact requested assistance from the NC Geodetic Survey in February of 2009; and the North Carolina Geodetic Survey has been designated and funded by the North Carolina General Assembly to assist counties in resolving ambiguous or uncertain county boundaries; and

**WHEREAS**, Brunswick County desires that the Brunswick County/Columbus County line be surveyed by the North Carolina Geodetic Survey pursuant to mandates of Chapter 102 of the North Carolina General Statutes using all relevant existing information including but not limited to U.S. Geological Survey Monuments, previous surveys and other information derived from work with these and other counties on surveys and studies by the above mentioned state office.

**NOW, THEREFORE BE IT RESOLVED** by the Brunswick County Board of Commissioners that it hereby requests the North Carolina Geodetic Survey prepare a survey of the Brunswick County/Columbus County line pursuant to Chapter 102 of the General Statutes using all relevant existing information including but not limited to U.S. Geologic Survey Monuments, previous surveys and other information derived from work with these and other counties on surveys and studies by the above mentioned state office, and that Steven R. Randone be designated as Contact Agent for Brunswick County in this endeavor.

ADOPTED this 6<sup>th</sup> day of April, 2009.  
s/William M. Sue, Chairman  
Brunswick County Commissioners  
Attest:  
s/Deborah S. (Debby) Gore, Clerk to the Board

### 4. **Closed Session 7:43 p.m.**

Chairman Sue moved to enter Closed Session pursuant to NCGS 143-318.11 (a) (1), (a) (3) and (a) (6) to prevent the disclosure of privileged information and consult with the Attorney to protect the attorney-client privilege and to hear or investigate a complaint, charge, or grievance by or against a public officer of employee. The vote of approval was unanimous.

**Break**-Chairman Sue called a five-minute break.

### **Reconvened 8:48 p.m.**

Chairman Sue called the Open Session back to order and announced that no action was taken in Closed Session.

Vice-Chairman Norris moved to approve termination of a waterline easement previously submitted by James and Paula Smith and to ratify the corrected easement. The vote of approval was unanimous.

Commissioner Cooke moved to continue litigation for the pursuit of Escaped Accommodations Tax with the Shanahan Law Group noting that the new amendment is actually a benefit to the county. The vote of approval was unanimous.

Commissioner Warren moved to allow the County Attorney to consent to action filed this year, for additional parties in the North Brunswick Sanitary District vs Chamberlain Investment Group for the Sanitary District to acquire a service line. The vote of approval was unanimous.

Commissioner Phillips moved to withdraw the Vehicle Use Policy that was enacted on March 16, 2009. The vote of approval was unanimous.

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

### **1. Proposed County Services District Meetings (Commissioner Warren)**

Commissioner Warren recommended that county staff hold Informational Sessions in all five districts of the county to present handouts and answer questions to better inform citizens of the services offered to them to benefit those who are unable to get to the complex or those that are intimidated by coming to the complex. These meetings could be held from 5:00 p.m.-8:00 p.m. to include any Department that can provide general information regarding services provided to the citizens of Brunswick County. Commissioner Warren requested a startup date of May 7, 2009 at South Brunswick High School in the cafeteria and informed that he had corresponded with the Sheriff to allow inmates to help with display set up.

There was discussion and it was consensus to advertise and hold the first Open House on May 7, 2009 from 5-8 p.m. at South Brunswick High School cafeteria with information booths, displays and handouts informing of available county services. This will coordinate with National County Government Week. It was consensus that this would be a pilot program for future Open House programs in the remaining districts.

Commissioner Warren moved to set up the first Open House to be held at South Brunswick High School cafeteria on May 7, 2009 from 5:00 p.m. until 8:00 p.m. The vote of approval was unanimous.

### **2. Bird Island Restrictive Signage (Commissioner Cooke)**

Commissioner Cooke informed that he had been contacted by a citizen with concerns of nude bathing on Bird Island located near Sunset Beach. Commissioner Cooke asked for support to post signs opposing nude bathing, fireworks, fire arms, etc. There was discussion regarding jurisdiction as part of Bird Island is located in South Carolina. The County Attorney informed that there is current state law against exposing private parts and displaying fireworks. Commissioner Cooke explained that the difference now is it has almost become an accepted fact that Bird Island is a nude beach and he just wants signage to be made available to mirror what is not accepted and asked for support that signs should be posted as to No Nudity, Fireworks or Littering just as a means to reinforce the law.

Chairman Sue moved to appoint Commissioner Cooke to work with Sheriff's Department and the Attorney for correct verbiage and with the Sign Shoppe to produce additional signs to be posted by the Sheriff's Department on Bird Island. The vote of approval was unanimous.

There was discussion regarding an upcoming meeting of the NC 20 Board and it was consensus to designate Commissioner Cooke as the board member to represent Brunswick County.

## **XII. ADJOURNMENT**

Vice-Chairman Norris moved to adjourn the Regular Meeting at 9:02 p.m. The vote of approval was unanimous.

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William M. Sue, Chairman

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Deborah (Debby) Gore, CMC  
Clerk to the Board