

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
MAY 18, 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 Charles Warren
 Commissioner Scott Phillips
 Commissioner William Sue, Chairman

ABSENT: Commissioner Marty Cooke

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, 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

Vice-Chairman Norris 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. Huey Marshall, County Attorney, requested to add a Closed Session as Item IX-3.
- 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. Resea Willis, Brunswick Housing Opportunities, thanked the Board for their consideration of public housing strategy and asked that non-profit groups be included in this process.

V. APPROVAL OF CONSENT AGENDA

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

A. Minutes

1. **May 4, 2009 Regular Meeting Minutes**

B. Tax

1. **Monthly Tax Collection Report**
2. **May 2009 Tax & Motor Vehicle Releases/January 2009 Motor Vehicle Valuation & Levy**

C. Finance

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Phase 2-Detention Center- Investment Earnings	438176-383100	\$6,028	
County Capital Project Fund	Phase 2-Detention Center- Transfer From County Capital Reserve Fund	438176-398226		\$123,671
County Capital Project Fund	Phase 2-Detention Center- Equipment Less Than \$500	438176-426100		\$3,359
County Capital Project Fund	Phase 2-Detention Center- Operating Equipment	438176-426200		\$5
County Capital Project Fund	Phase 2-Detention Center- Construction	438176-464200		\$110,062
County Capital Project Fund	Phase 2-Detention Center- Equipment	438176-464013		\$4,217
County Capital Reserve Fund	Transfer to County Capital Projects	269800-498043		\$123,671
County Capital Reserve Fund	Designated for General Fund FY 2010	269800-464390	123,671	

The above budget amendments are to close the Phase 2-Detention Center Capital Project and transfer the unexpended funds totaling \$123,671 back to the County Capital Reserve Fund and designate the funds for transfer to the General Fund operating budget in FY 2010. The associated capital project ordinance is below.

**County of Brunswick, North Carolina
Capital Project Ordinance (Amended)
Detention Center Phase 2 Capital Project (438176)**

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 Phase 2 Detention Center Capital Project:

Project Cost \$10,622,494

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

Contributions from County Capital Reserve	\$9,920,839
Sales Tax Refunds	\$34,228
Investment Earnings	165,298
Miscellaneous Revenues	\$2,129
Proceeds From COPS debt	400,000
Total	\$10,622,494

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

Contribution to Capital Project \$10,622,494

Section 4. It is estimated that the following revenues will be available in the Brunswick County Capital Reserve Fund:

Current Funds Appropriated \$10,622,494

Section 5. This Capital Project Ordinance shall be entered into the minutes of the May 18, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Maintenance Service Road- Transfer From County Capital Reserve Fund	438181-398226		\$376,740
County Capital Project Fund	Maintenance Service Road- Construction	438181-464002		\$375,000
County Capital Project Fund	Maintenance Service Road- Arch/Eng/legal	438181-424001		\$1,740
County Capital Reserve Fund	Transfer to County Capital Projects	269800-498043		\$376,740
County Capital Reserve Fund	Designated for General Fund FY 2010	269800-464390	\$376,740	

The above budget amendments are to close the Maintenance/Service Road Capital Project and transfer the unexpended funds totaling \$376,740 back to the County Capital Reserve Fund and designate the funds for transfer to the General Fund operating budget in FY 2010. The associated capital project ordinance is below.

**County of Brunswick, North Carolina
Capital Project Ordinance (Amended)
Maintenance Service Road Capital Project (438181)**

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 Maintenance Service Road Capital Project:

Project Cost \$123,764

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

Contributions from County Capital Reserve \$123,260

Contributions From General Fund \$504

Total \$123,764

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

Contribution to Capital Project \$123,764

Section 4. It is estimated that the following revenues will be available in the Brunswick County Capital Reserve Fund:

Current Funds Appropriated \$123,764

Section 5. The following amounts are hereby appropriated in the Brunswick County General Fund:

Contribution to Capital Project \$504

Section 6. It is estimated that the following revenues will be available in the Brunswick General Fund:

Current Funds Appropriated \$504

Section 7. This Capital Project Ordinance shall be entered into the minutes of the May 18, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Admin/Courthouse Parking Lot-Transfer to County Capital Reserve Fund	438189-398226		\$306,438
County Capital Project Fund	Admin/Courthouse Parking Lot-Arch/Engineering/Legal	438189-464001		\$6,438
County Capital Project Fund	Admin/Courthouse Parking Lot-Construction	438189-424002		\$300,000

County Capital Reserve Fund	Transfer to County Capital Projects	269800-498043		\$306,438
County Capital Reserve Fund	Designated for General Fund FY 2010	269800-464390	\$306,438	

The above budget amendments are to close the Administration/Courthouse Capital Project and transfer the unexpended funds totaling \$306,438 back to the County Capital Reserve Fund and designate the funds for transfer to the General Fund operating budget in FY 2010. The associated capital project ordinance is below.

**County of Brunswick, North Carolina
Capital Project Ordinance (Amended)
Administration/Courthouse Parking Lot Capital Project (438189)**

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 Maintenance Service Road Capital Project:

Project Cost \$43,562

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

Contributions from County Capital Reserve \$43,562

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

Contribution to Capital Project \$43,562

Section 4. It is estimated that the following revenues will be available in the Brunswick County Capital Reserve Fund:

Current Funds Appropriated \$43,562

Section 5. This Capital Project Ordinance shall be entered into the minutes of the May 18, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Leland Library-Transfer to County Capital Reserve Fund	438190-398226		\$927,810
County Capital Project Fund	Leland Library-Arch/Engineering/Legal	438190-464001		\$27,810
County Capital Project Fund	Leland Library-Construction	438190-424002		\$900,000
County Capital Reserve Fund	Transfer to County Capital Projects	269800-498043		\$927,810

County Capital Reserve Fund	Designated for General Fund FY 2010	269800-464390	\$927,810	
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The above budget amendments are to close the Leland Library Capital Project and transfer the unexpended funds totaling \$927,810 back to the County Capital Reserve Fund and designate the funds for transfer to the General Fund operating budget in FY 2010. The associated capital project ordinance is below.

**County of Brunswick, North Carolina
Capital Project Ordinance (Amended)
Leland Library Capital Project (438190)**

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 Leland Library Capital Project:

Project Cost \$72,190

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

Contributions from County Capital Reserve \$72,190

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

Contribution to Capital Project \$72,190

Section 4. It is estimated that the following revenues will be available in the Brunswick County Capital Reserve Fund:

Current Funds Appropriated \$72,190

Section 5. This Capital Project Ordinance shall be entered into the minutes of the May 18, 2009 meeting of the Brunswick County Board of Commissioners.

Fund	Description	Code	Increase	Decrease
Health Fund	State Revenues	135173-332000	\$20,166	
Health Fund	Salary	135173-412100	\$15,335	
Health Fund	FICA	135173-418100	\$1,204	
Health Fund	Retirement	135173-418200	\$1,561	
Health Fund	Group Insurance	135173-418300	\$2,004	
Health Fund	Disability & Long-Term Ins.	135173-418400	\$62	

The Health Department received additional State funding for the Diabetes Education program. The department requested the funds be appropriated so personnel expenditures in the program.

Fund	Description	Code	Increase	Decrease
Health Fund	Maternal Health Clinic-Salaries & Wages	135100-412100		\$47,000
Health Fund	Maternal Health Clinic-Contract Services	135163-439900	\$47,000	
Health Fund	Family Planning-Group Insurance	135100-418300		\$5,500
Health Fund	Family Planning-Contract Services	135164-439900	\$5,500	
Health Fund	Family Planning-Clinic Fees	135164-335006	\$4,648	
Health Fund	Family Planning-Contract Services	135164-439900		\$4,648
Health Fund	General Administration-Miscellaneous Health Fees	135110-383963	\$20	
Health Fund	General Administration-Miscellaneous Health Fees	135110-383970	\$2,658	
Health Fund	General Administration-Special Program Material	135110-423100	\$2,678	
Health Fund	Smart Start-Miscellaneous Revenue	135176-383900	\$330	
Health Fund	Smart Start-Special Program Material	135176-423100	\$330	

The Health Department requested the above budget amendments for transfers from salary line items where contracted services were used instead of employees and for appropriation to program expenditures where revenues have exceeded the budget amount.

D. EMS - Proclamation Emergency Medical Service Week

Staff requests approving Proclamation designating May 17-23, 2009 as Emergency Medical Services Week.

E. EMS - Memorandum of Understanding with Brunswick County Schools

Staff requests approval for the MOU between Emergency Services and Brunswick County Schools for the use of school buses for evacuation purposes.

F. EMS – Urban Search and Rescue (USAR) Memorandum of Understanding

Staff requests approval for the MOU between the N.C. Department of Crime Control and Public Safety and Brunswick County for expenses related to planning and exercising public safety organizations.

G. Operation Services

Staff requests approval of a proposed water management project by the Mosquito Control Division for E.J. Partridge Project.

H. **Administration – Naming of New Senior/Community Center at Smithville Crossing in Southport the “Brunswick Center at Southport”**

Staff requests approval to name the new senior/community center in Smithville Crossing Southport, the Brunswick Center at Southport and to rename the existing county owned facilities in Leland and Shallotte, the Brunswick Center at Leland and the Brunswick Center at Shallotte, respectively.

I. **Southeastern Center – Mental Health Proclamation**

Staff requests approving Proclamation Designating May 2009 as Mental Health Month in Brunswick County.

**Proclamation
MAY IS MENTAL HEALTH MONTH**

WHEREAS, mental health is essential to everyone’s overall physical health and emotional well-being; and

WHEREAS, mental illness will strike one in four adults in a given year regardless of age, gender, race, ethnicity, religion or economic status; and

WHEREAS, many people who have mental illness can recover and lead full, productive lives, but the stigma surrounding mental illness can prevent people from seeking the medical attention they need; and

WHEREAS, all Americans, including combat veterans and hurricane victims, are vulnerable to chronic mental health problems associated with trauma and can benefit greatly from early identification and treatment; and

WHEREAS, an estimated two-thirds of adults and young people who have mental health disorders are not receiving the help they need and nearly 30,000 American lives are lost each year to suicide and mental illness; and

WHEREAS, the cost of untreated and mistreated mental illness and addictive disorders to American businesses, governments and families has grown to over \$100 billion annually; and

WHEREAS, community-based services that respond to the needs of the individual and family are cost-effective and beneficial to consumers and the community; and

WHEREAS, Mental Health Month is observed every May nationwide by advocacy organizations to raise awareness and understanding of issues related to mental health and to eradicate the stigma associated with seeking mental health services.

NOW, THEREFORE, BE IT PROCLAIMED THAT, the Brunswick County Board of Commissioners does hereby proclaim May 2009 as **Mental Health Month** in Brunswick County and calls upon the citizens, government agencies, public and private institutions, businesses, and schools in Brunswick County to recommit to increasing awareness and understanding of mental illness and the need for accessible services for all people who suffer from mental disorders.

This the 18th day of May, 2009.

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

VI. PRESENTATION

1. **Southport Boys & Girls Club (Tina Fobes)**

Tina Fobes, Southport Boys & Girls Club Director, asked for support of the non-profit group in the amount of \$15,000 to help fund programs for children from disadvantaged families. Ms.

Fobes was instructed to contact Steve Stone, Assistant County Manager, and follow the process for non-profit funding requests.

VII. PUBLIC HEARING

1. Town of Belville – Proposed Land Use Plan Amendment (Leslie Bell)

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 a Proposed CAMA Land Use Plan Amendment for the Town of Belville.

Leslie Bell, Planning Director and Chuck Thurlow, Belville Mayor, explained the following:

Per the CAMA Multi-Jurisdictional Core Land Use Plan certified by the North Carolina Coastal Resources Commission (Coastal Resources Commission) on November 30, 2007, the Town of Belville (Town) is requesting a Public Hearing and approval of the Town's Land Use Plan Amendment(s) to be consistent with redevelopment of the Town's Central Business District. It was presented to the Brunswick County Planning Board at their April 13, 2009 meeting.

Mayor Thurlow stated that the Plan specifically addresses development in the Central Business District, but some specific uses were not included and/or should be excluded as follows:

a. Commercial/O&I

Appropriate uses: General retail uses; institutional, commercial recreational and service uses; residential mixed-use, and hotel ~~some animal relate service facilities; and contractors without outside storage.~~ Please note that not every use listed in one district is permitted in another district.

Inappropriate uses: ~~Residential and~~ Industrial and manufacturing uses.

b. Conservation

Appropriate uses: ~~Single family residential development~~ Marinas, boardwalks, parks...

Planning Staff and Planning Board recommend approval.

Following the action by the Board of Commissioners, the Town's amendment request will be forwarded to the Coastal Resources Commission for final approval.

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 Phillips moved to close the hearing at 6:49 p.m. The vote of approval was unanimous.

Commissioner Phillips moved to approve recommendations for approval by the Planning Board and Planning Staff for the CAMA Land Use Plan Amendment for the Town of Belville and approve a Resolution Requesting Amendment to the 207 Town of Belville CAMA Land Use Plan and the Future Land Use Map as Part of the Brunswick County CAMA Core Land Use Plan by the NC Department of Environmental and Natural Resources Division of Coastal Management. The vote of approval was unanimous.

RESOLUTION BY THE BRUNSWICK COUNTY BOARD OF COMMISSIONERS REQUESTING THAT THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES' DIVISION OF COASTAL MANAGEMENT AMEND THE 2007 TOWN OF BELVILLE CAMA LAND USE PLAN AND THE FUTURE LAND USE MAP AS A PART OF THE BRUNSWICK COUNTY CAMA CORE LAND USE PLAN

WHEREAS, the Brunswick County Board of Commissioners support the Town of Belville's request to amend its 2007 CAMA Land Use Plan (Exhibit A) and its Future Land Use Map (Exhibit B); to amend the appropriate and inappropriate land uses in Sections a (Commercial/O&I) and b (Conservation) for the purpose of redeveloping the Town of Belville's Central Business District; and

WHEREAS, the Brunswick County Board of Commissioners agree that the proposed amendments are in line with the seven (7) management topics outlined in Brunswick County's CAMA Core Land Use Plan; and the proposed amendments are consistent with the currently approved North Carolina Coastal Management Program and the rules of the Coastal Resources Commission and do not violate any state or federal laws; and

WHEREAS, amending the 2007 CAMA Land Use Plan and the Future Land Use Map will promote the redevelopment of the Town of Belville's Central Business District and stimulate growth and commerce in Brunswick County.

NOW, THEREFORE, BE IT RESOLVED that the Brunswick County Board of Commissioners hereby request that the North Carolina Department of Environmental and Natural Resources' Division of Coastal Management amend the 2007 Town of Belville CAMA Land Use Plan and Future Land Use Map as a part of the Brunswick County CAMA Core Land Use Plan.

EXHIBIT A

SECTIONS A AND B AMENDED AS SHOWN BELOW:

2. Town of Belville

a. Commercial/O&I

Commercial and O&I land uses in Belville are located at the intersection of US Highway 17/74/76 and NC Highway 133 and along NC Highway 133. Future commercial development will continue to occur at the intersection with future office and institutional land uses occurring along NC Highway 133.

Corresponding zoning district: BR, Business Residential; BH, Business Highway; CBD, Central Business District

Appropriate uses: General retail uses; institutional, **commercial** recreational, and services uses; **residential mixed-use, and hotel** ~~some animal relate service facilities; and contractors without outside storage.~~ Please note that not every use listed in one district is permitted in another district.

Inappropriate uses: ~~Residential and~~ **Industrial and** manufacturing uses.

Allowable densities: No density requirement.

Maximum height: No height requirement.
Minimum lot size: No lot size requirement.

b. Conservation

The Conservation designation is located as a buffer along the Brunswick River where there is a potential for flooding. Medium and high density development is ~~discouraged~~ **not allowed** in this area.

Corresponding zoning district: R-15, Residential District

Appropriate uses: ~~Single-family residential development~~ **Marinas, boardwalks** parks, and water oriented uses such as boat launch facilities, docks, and piers.

Inappropriate uses: Commercial and industrial development.

Allowable density: 2.9 units / acre.

Maximum height: 35 feet.

Minimum lot size: 15,000 s.f.

c. Industrial

Existing industrial areas are located on US Highway 17/74/76. Future industrial development will be located along US Highway 17/74/76, the area adjacent to US Highway 17, and along the northwest portion of NC Highway 133.

Corresponding zoning districts: I, Industrial.

Appropriate uses: Agricultural uses, communications facilities, contractors/ construction facilities (with or without outside storage), certain retail and service uses, manufacturing operations, and wholesale facilities.

Inappropriate uses: Residential development and most commercial development.

Allowable density: No density requirement.

Maximum height: No height requirement.

Minimum lot size: No lot size requirement.

d. Residential

Residential land uses are currently scattered around town primarily in platted neighborhoods within the satellite annexations. Future residential development should occur in these areas. Residential land uses have been divided into two separate land use categories based on associated variable residential densities. These categories include high and low density residential. The locations of residential land uses by density was based on existing residential development patterns and constraints to development (i.e. floodplains and wetlands).

High Density Residential

Corresponding zoning districts: MF, Multi-family District; MH, Manufactured Homes

Appropriate uses: Mobile/modular home on site sales, boat launching ramps, child care facilities, golf courses, parks, and single- and multi-family residences.

Inappropriate uses: Commercial and industrial uses.

Allowable densities: MF 2.9 units/acre (two family)
5.4 units/acre (multi-family)
MH 5.8 units/acre

Maximum height: 35 feet.

Minimum lot size: MF 15,000 s.f. per dwelling unit (two family)

MH 8,000 s.f per dwelling unit for the first two dwelling units and 5,000 s.f. for each additional dwelling unit.

Low Density Residential

Corresponding zoning districts: R-10, Residential District; R-15, Residential District

Appropriate uses: Boat launching ramps, child care facilities, golf courses, parks, single-family residences, and modular homes. Please note that not every use listed above is permitted in both districts.

Inappropriate uses: Commercial uses and industrial operations.

Allowable densities: R-10 4.3 units/acre
R-15 2.9 units/acre

Maximum height: 35 feet.

Minimum lot size: R-10 10,000 s.f.
R-15 15,000 s.f.

Duly adopted this 18th day of May, 2009.

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

VIII. ADMINISTRATIVE REPORT

1. Engineering – Change Order #1 for Carolinas Shores North Water Improvement Project (Jeff Phillips)

Staff recommends approving Change Order Number 1 to the Contract of Herring-Rivenbark, Inc. for the Carolina Shores North Water Improvement Project to Install Twelve (12) Fire Hydrants in the Calabash Area.

Jeff Phillips, Engineering Services Director, explained that the following fire hydrants are requested from the Calabash Fire Dept. for residential areas on existing waterlines. They are spaced approximately 800 feet apart. 1.) Highway 17 S at Hickman Road. 2.) 62 Hickman Road 3.) 160 Hickman Road 4.) 800 ft. west of 160 Hickman Road 5.) 871 Calabash Road 6.) 800 ft. from 871 Calabash Road 7.) 700 Calabash Road 8.) 630 Calabash Road 9.) 551 Calabash Road 10.) Calabash Road at Oceanside Place 11.) 391 Calabash Road 12.) 800 ft. from 391 Calabash Road. Four hydrants are requested on 12” lines for a cost of \$16,688.60. Eight of the requested hydrants are on 8” line for a cost of \$31,777.20. The total cost for the installation of the twelve hydrants is \$48,465.80.

The total project budget is \$1,514,629.00. Expenditures to date total \$77,532.42 with an additional \$681,924.18 encumbered under contracts leaving a remaining budget balance of \$755,172.40. The project is funded with Water Capital Reserve Funds. There will be \$706,706, 20 remaining project balance if the Board approves the Change Order as proposed.

Commissioner Norris moved to approve Change Order #1 to the Contract of Herring-Rivenbark, Inc. for the Carolina Shores North Water Improvement Project to install twelve (12) Fire Hydrants in the Calabash Area. The vote of approval was unanimous.

2. Engineering – Final Adjusting Change Order from Herring-Rivenbark, Inc. 2007-2008 Water Service Area Improvements Project (Jeff Phillips)

Staff recommends approving Final Adjusting Change Order to the Contract of Herring-Rivenbark, Inc. for the 2007-08 Water Service Area Improvement Project as presented.

Jeff Phillips, Engineering Services Director, explained that the original contract price for this project was \$1,113,480. Change Order Attachments A&B show the actual quantities used in the project which resulted in a deduction of \$100,303.30 and details the change of three jack and bores to three horizontal directional drills. The increase in cost was \$21,500.00. The revised contract price with approved change order is \$1,034,676.70 with a net decrease overall of \$78,803.30.

The total project budget is \$1,334,380. Expenditures to date total \$1,156,186.96 with an additional \$135,654.15 currently encumbered and a remaining project balance of \$42,538.89. The deduct change order will increase the remaining project balance to \$121,342.19. Unexpended project funds may be transferred to the Water Capital Reserve Fund at the completion of the project by action of the Board of Commissioners.

Commissioner Phillips moved to approve the Final Adjusting Change Order to the Contract of Herring-Rivenbark, Inc. for 2007-2008 Water Service Area Improvement Project. The vote of approval was unanimous.

3. Engineering – Award Contract to Coastal Site Design, PC Phase One of Avalon Subdivision (Jeff Phillips)

Staff recommends approving Proposal for Coastal Site Design, PC for the Partial Certification for the Sewer System for Phase I of Avalon and the Associated Budget Amendment.

The former owners of the Avalon Subdivision left the project before completion. They had obtained Coastal Site Design, PC as the original engineer for the project. Coastal Site design has submitted a proposal for engineering services that will include the following items: Prepare as-built and record drawing for sewer, attend pump station start up and perform final site inspection, and certify installation of sanitary sewer to County and State. The proposed cost for these services is \$1,900. The County needs the Avalon pump station as part of the Regional sewer system and specifically for the connection of the sewer system for the subdivision, Lennon Hills which is complete but cannot be given certificate of occupancy without the sewer connection to Avalon.

Fund	Description	Code	Increase	Decrease
County Capital Project Fund	Avalon-Transfer from Capital Reserve Fund	438193-398226	\$10,000	
County Capital Project Fund	Avalon-Arch/Engineering/Legal	438193-464001	\$10,000	
County Capital Reserve Fund	Investment Earnings	269800-383100	\$10,000	
County Capital Reserve Fund	Transfer to County Capital Projects	269800-498043	\$10,000	

basins. The original contract was based upon estimated volumes of material to be moved. When the actual volume of material moved was calculated, the actual volume was less than the amount estimated.

Change Order No.2 is an increase in the contract amount of \$105,297.40. The changes include addition of 5 valves at the groundwater pump stations to allow maintenance of the pumps, relocation of the connection point of the effluent reuse line, additional reinforcement of pump station walls, install 35 cleanouts on perimeter sock drain, provide additional stone base for roads at Mercer Mill, and installation of 21 additional valves in the spray irrigation area in IP and Mercer Mill. Three valves in the perimeter sock drain were deleted.

The total West Brunswick Phase 2 expansion project budget is \$56,371,091. Expenditures to date total \$34,612,588.28 with another \$17,860,128.90 encumbered under contract leaving an unencumbered budget balance of \$3,898,373.82. The funding sources are \$987,500 from a Clean Water Management Trust Fund Grant, Construction Grants and Loan in the name of Oak Island \$11,800,000 and Revenue Bond Proceeds of \$43,583,591.

Commissioner Warren moved to approve Change Order 1 and 2 on the West Brunswick Effluent Dispersal Contract with L.M. McLamb and Son Construction Company. The vote of approval was unanimous.

5. Finance – Brunswick County Sheriff’s Substation Lease (Chief Deputy Charlie Miller)
Staff recommends approving Lease Agreement with Carolina Shores Resort Condominium Inc.

The Brunswick County Sheriff’s office negotiated a Lease of property for a department substation. The annual lease payment is \$1 per year.

Charlie Miller, Chief Deputy and Sgt. Mark Trull explained that the owner of a building in the Town of Calabash agreed to provide and be responsible for water, sewer and electricity charges for a Brunswick County Sheriff’s Substation to serve the south end of the county. The county will be responsible for landline telephone service. The department indicated that the minor modifications and improvements to the building such as painting and signage will be paid for with drug seizure funds and inmate labor will be utilized for painting, cleaning, etc. Staff will be relocated to the substation and no new personnel will be requested.

There was discussion and Chief Miller explained that there were changes to the lease this afternoon that included utility repair in the amount of \$7,000 and the Fire Clause was deleted. The contents would have to be insured and that would be done with drug seizure funds also. The department requests approval for the Finance Officer to pre-audit the lease and the department to enter into the agreement.

Vice-Chairman Norris moved to approve the lease for a Brunswick County Sheriff’s Substation. The vote of approval was unanimous.

6. Finance – General Obligation Refunding of Series 2001 Resolution (Ann Hardy)
Staff recommends approving Resolution providing for the Issuance not to exceed \$25,500,000 General Obligation Refunding Bonds, Series 2009 of the County of Brunswick, North Carolina.

Ann Hardy, Fiscal Operations Director, explained the following:

Background Information

Brunswick County issued General Obligation Series 2001 bonds to fund school construction under the 1999 School Bond Referendum. At this time, there is projected interest savings if the bonds were refunded (refinanced.) The bonds' to be refunded mature from 2012 thru 2021 with coupons ranging from 4.75 to 5.0% and a par total amount of \$23.5 million. Bonds maturing in 2010 and 2011 would not be refunded because there would be no savings in doing so.

On June 18, 2007, Brunswick County resolved certain statements of fact concerning this proposed bond refunding issue, resolved to introduce a bond refunding order and adopted the bond refunding order and resolved to direct publication of notice of the bond refunding order. Based upon a recent analysis of the bond market it appears the cumulative refunding savings may be as much as \$665,700. Estimated costs to refund the bonds are deducted in calculating the potential savings to the County. The annual savings are in the range of \$69,000 per year.

On May 4th, the Board of Commissioners authorized staff to proceed with the necessary steps to refund the General Obligation Series 2001 bonds maturing from 2012 through 2021 which include preparation of actions for the Board of Commissioners, application to the Local Government Commission, Engaging Bond Counsel, Ordering Rating Agency Analysis and Engaging Merrill Lynch/Banc of America as Underwriter.

Current Status

Staff, Bond Counsel, Underwriter and Underwriter's Counsel has started developing and executing the documents necessary to refund the bonds. A preliminary draft Escrow Agreement is presented for information. At this time, a resolution of the Board of Commissioners (attached) is required to proceed with the refunding issue. Both the bond purchase agreement and preliminary official statement are being prepared and will be presented to the commissioners when available.

Recommendation

Staff recommends that the Board of Commissioners resolve for the issuance of not to exceed \$25,500,000 General Obligation Refunding Bonds, Series 2009 of the County of Brunswick, North Carolina and authorize the Chairman, County Manager, Director of Fiscal Operations and Clerk to the Board of Commissioners to execute the documents necessary to cause the refunding..

Commissioner Phillips moved to approve the resolution Providing for the Issuance not to exceed \$25,500,000 General Obligation Refunding Bonds, Series 2009 of the County of Brunswick, North Carolina. The vote of approval was unanimous.

7. Finance – Financial Reports for period ended April 30, 2009 (Unaudited) for information (Ann Hardy)

Staff recommends receiving April 30, 2009 Financial Reports as information.

Ann Hardy, Fiscal Operations Director, explained the following:

General Fund

Presented in the board packet is a schedule of revenues and expenditures-budget and actual and changes in fund balance for the General Fund for the period ended 4/30/2009 on the cash basis with comparative actual amounts for the year ended June 30, 2008 and for the period ended 4/30/2008. In addition projections for the current fiscal year are provided. Total revenues for the General Fund at 4/30/09 are \$138.4 million compared to \$140.9 million at 4/30/08 for a decrease of (\$2.5) million or (1.8%). Total revenues collected are currently 91% of the amended budget for the fiscal year.

Total expenditures for the General Fund at 4/30/09 are \$121 million compared to \$112.8 million at 4/30/08 for an increase of \$8.2 million or 7.27%. Total expenditures are currently 76% of the amended budget for the fiscal year. Net transfers to the County and Schools Capital Reserves and

Capital Projects Funds of \$9 are reported. If the current trends continue, it appears that annual revenues will be in the range of \$153.3 million and expenditures will be in the range of \$155.6 million resulting in an estimated \$2.3 million use of fund balance for the operating budget. When the operating loss of \$2.3 million is added to transfers to projects and reserves of \$10 million, fund balance is projected to decrease by \$12.3 at June 30, 2009.

Revenues and other financing sources are greater than expenditures and other financing uses by \$8.5 million as of April 30, 2009 compared to \$25.2 million as of April 30, 2008 for a decrease of \$16.7 million.

Water Fund

Presented in the board packet is a schedule of revenues and expenditures-budget and actual and changes in fund balance for the Water Fund for the period ended 4/30/2009 on the cash basis with comparative actual amounts for the year ended June 30, 2008 and for the period ended 4/30/2008. Total revenues for the Water Fund at 4/30/09 are \$16.3 million compared to \$16.9 million at 4/30/08 for a decrease of (\$0.6) million or (3.55%). Total revenues collected are currently 83.4% of the amended budget for the fiscal year.

Total expenditures for the Water Fund at 4/30/09 are \$10.1 million compared to \$10.4 million at 4/30/08 for a decrease of (\$0.3) million or (2.89%). Total expenditures are currently 66.2% of the amended budget for the fiscal year.

Net transfers to the Water Capital Reserve for Water Capital Projects of \$8.8 million are reported. Revenues and other financing sources are under expenditures and other financing uses by (\$2.6) million as of April 30, 2009 which appears reasonable with amounts budgeted as transfers from Retained Earnings to capital projects.

Wastewater Fund

Presented in the board packet is a schedule of revenues and expenditures-budget and actual and changes in fund balance for the Wastewater Fund for the period ended 4/30/2009 on the cash basis with comparative actual amounts for the year ended June 30, 2008 and for the period ended 4/30/2008. Total revenues for the Wastewater Fund at 4/30/09 are \$8.5 million compared to \$10.4 million at 4/30/2008 for a decrease of (\$1.9) million or (18.27%). A good portion of the decline was due to the timing of a debt reimbursement payment from the Town of Holden Beach. Total revenues are currently 77% of the amended budget for the fiscal year.

Total expenditures for the Wastewater Fund at 4/30/09 were \$11.2 million compared to \$9.5 million at 4/30/08 for an increase of \$1.7 million or 17.9%. A substantial portion of the increase was due to the first year of debt service on the West Brunswick Plant Expansion. Total expenditures are currently 88.4% of the amended budget for the fiscal year.

Transfers of \$1.5 million from the wastewater reserve to the operating fund are reported. Revenues and other financing sources are less than expenditures and other financing uses by \$1.2 million as of April 30, 2009.

It is estimated that the Wastewater Fund will end the year with a cash basis deficit of \$408,341 even after a transfer from the Capital Reserve Fund of \$1.5 million. The county will record a receivable from Oak Island of \$1 million which is expected bring the fund to an accrual positive balance of approximately \$600,000 for the year. It is anticipated that the Wastewater Fund expendable net assets will be in the range of \$2.5 to \$3 million on June 30, 2009.

Capital Project Funds and Capital Reserve Funds

The packet contains grant and project life revenue and expenditure reports for major grants and capital projects and reports of the capital reserve fund balances and project designations for the County, Water, Wastewater, School and Special School Capital Reserve Funds.

Key Indicators of Revenues and Expenditures

The packet contains charts with actual history, current month, budget information and monthly projects for the remainder of the fiscal year for major revenues and expenditures in both the enterprise and general funds.

Cash and Investments

A Summary of Cash and Investments as of April 30, 2009 reports that the County has \$143.5 million of cash and investments in all funds including those accruing for outside agencies that the county performs collections for plus \$34.5 million of capital project restricted debt proceeds. All cash and investments are earning an average yield of 1.13%. The total of cash of April 30, 2009 was \$73.6 million General Fund, \$17.1 million in the Water Fund, a deficit of \$14,648 in the Wastewater Fund. The Wastewater Fund deficit was due to the payment of debt on the West Brunswick Phase 1 Plant prior to the reimbursement of \$962,000 from the Town of Holden Beach and the payment of debt on the West Brunswick Phase 2 Plant prior to the reimbursement of \$1,070,701 from the Town of Oak Island. The Town of Holden Beach's administrator indicated that payment is in the mail. The Town of Oak Island's reimbursement is delayed until approximately September 2009 when the line is expected to be completed.

The Board received the reports as information and no action was taken.

8. Finance – Reserve Funds Resolution (Ann Hardy)

Staff recommends approving Resolution Authorizing Use of the Capital Reserve Fund in Operating Budgets for FY 2008-09.

Ann Hardy, Fiscal Operations Director, explained the following:

Background Information

During the FY 2008-2009, the county has approved transfers from the capital reserve funds to the operating project for small capital projects and debt service.

G.S. 159-22 addresses withdrawals from a capital reserve fund and is as follows: "Withdrawals from a capital reserve fund may be authorized by resolution or ordinance of the governing board of the local government or public authority. No withdrawal may be authorized for any purpose not specified in the resolution or ordinance establishing the fund or in a resolution or ordinance amending it. The withdrawal resolution or ordinance shall authorize an appropriation from the capital reserve fund to an appropriate appropriation in one of the funds maintained pursuant to G.S. 159-13(a). No withdrawal may be made which would result in an appropriation for purposes for which an adequate balance of eligible moneys or investment securities is not then available in the capital reserve fund.

Current Status

Upon consultation with the Director of Fiscal Management at the Local Government Commissioner appropriations from a reserve fund to an operating fund should be used for capital projects or debt service with a formal resolution of the Board of Commissioners authorizing the transfer and use. A previous budget amendment was approved by the Board of Commissioner.

Recommendation

Staff recommends approval of the resolution to insure that the County has formally complied with the statues regarding use of Capital Reserve Funds in the operating budgets for FY 2008-09.

Be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$305,783 from the County Capital Reserve Fund made on October 20, 2008 to the General Fund is hereby established to be used as matching capital project contributions to the Lockwood Folly and Shallotte Dredging projects.

Be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$250,500 from the County Capital Reserve Fund made on October 20, 2008 to the General Fund is hereby established to be used debt service interest payments.

Be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$195,150 from the Water Capital Reserve Fund made on August 26, 2008 to the Water Fund is hereby established to be used capital improvements at the Cedar Grove School and Park Project.

Be it ordained by the Brunswick County Board of Commissioners that the appropriations totaling \$1,524,927 from the Wastewater Capital Reserve Fund made on August 4, 2008 and March 2, 2009 to the Wastewater Fund is hereby established to be used for capital improvement projects and debt service interest payments.

Copies of this resolution shall be furnished to the County Manager/Budget Officer and the Director of Fiscal Operations for direction in carrying out their duties.

Adopted this 18th day of May, 2009.

Vice-Chairman Norris moved to approve a Resolution Authorizing Use of the Capital Reserve Fund in Operating Budgets for FY 2008-2009. The vote of approval was unanimous.

Brunswick County, North Carolina
Approved Appropriation of Capital Reserve Funds
For The Fiscal Year Beginning July 1, 2008 and Ending June 30, 2009

Whereas, the County has experienced financial issues because of general economic distress, the redistribution of funds has become necessary.

Therefore, be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$305,783 from the County Capital Reserve Fund made on October 20, 2008 to the General Fund is hereby established to be used as matching capital project contributions to the Lockwood Folly and Shallotte Dredging projects.

Be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$250,500 from the County Capital Reserve Fund made on October 20, 2008 to the General Fund is hereby established to be used debt service interest payments.

Be it ordained by the Brunswick County Board of Commissioners that the appropriation of \$195,150 from the Water Capital Reserve Fund made on August 26, 2008 to the Water Fund is hereby established to be used capital improvements at the Cedar Grove School and Park Project.

Be it ordained by the Brunswick County Board of Commissioners that the appropriations totaling \$1,524,927 from the Wastewater Capital Reserve Fund made on August 4, 2008 and March 2, 2009 to the Wastewater Fund is hereby established to be used for capital improvement projects and debt service interest payments.

Copies of this resolution shall be furnished to the County Manager/Budget Officer and the Director of Fiscal Operations for direction in carrying out their duties.

Adopted this 18th day of May, 2009.

s/William M. Sue, Chairman

Attest:

s/Debby Gore, Clerk to the Board

9. Finance – Brunswick County Schools Continued Spending Resolution (Ann Hardy)

Staff recommends approving Request of Board of Education to Operate under an Interim Budget Resolution from July 1, 2009 until the State of North Carolina and Brunswick County Adopt Appropriations for the Board of Education.

Ann Hardy, Fiscal Operations Director, explained the following:

Background Information

G.S. 115C-429 requires the Board of Education to submit a budget to the Board of County Commissioners by May 15 of each year for funding consideration. The Board of Education and County executed a funding agreement for FY 2009-10 at the recent goals retreat. For several years, the Board of County Commissioners has agreed to the school system's request to finalize the operating budget after the State of North Carolina provides an appropriation to the LEA.

Current Status

Freyja Cahill, Brunswick County Schools Finance Officer submitted the attached request for the school system to submit the budget to the county after the county and State appropriations are finalized. An interim budget allows for expenditure at current levels.

Recommendation

Staff recommends that the Board of Commissioners approve Ms. Cahill's request to operate under an interim budget beginning July 1, 2009 until such time as both the State of North Carolina and Brunswick County adopt appropriations for Brunswick County Schools.

Chairman Sue moved to approve a request from the Brunswick County Board of Education To operate under an interim budget beginning July 1, 2009 until such time as both the State of North Carolina and Brunswick County adopt appropriations for Brunswick County Schools. The vote of approval was unanimous.

10. Planning – Proposal for Affordable Housing Strategy (Leslie Bell)

Staff recommends approving Request for Proposal for Professional Services to Assist the County in Developing an Affordable Housing Strategy.

Leslie Bell, Planning Director, explained that during the FY 2009/2010 Budget Retreat, a discussion regarding affordable housing and quality of Section 8 Rental Units currently administered by the Brunswick County Public Housing Agency resulted in the Board's inquiry to fund a study regarding the feasibility of starting a Public Housing Authority. Following research and gathering of data, the County may be better served to develop a 10-year affordable housing strategy.

According to the "Workforce Housing Needs in Brunswick County, North Carolina" a June 2007 study prepared by the Center for Urban and Regional Studies at the University of North Carolina at Chapel Hill, the median household income in Brunswick County increased 3% from \$35,880 to \$36,946 between 2000 and 2005. At the same time, the number of households with incomes below 80% of the area median income increased 52% (from 12,933 to 19,594). Additionally, the number of households paying more than 50 percent of their incomes for housing increased from approximately 3, 153 to 5, 149 between 2000 and 2005. Moreover, results of the Study indicate that the major barriers to providing more affordable housing include rapid increase in land prices, construction and infrastructure costs and a lack of interest among the development community to build affordable housing.

The Brunswick County Board of Commissioners set Affordable Housing as one of its eight (8) Major Goals and Objectives in FY2007-08 (previous FY). More specifically, the Board's adopted Fiscal Year Goal regarding Affordable Housing included initiating a comprehensive program to improve and increase the availability of affordable/low cost housing in Brunswick County.

To accomplish its goal, the County is seeking an Affordable Housing Strategy that will accomplish the following:

- (1) Improve the quality of Section 8 rental units;
- (2) Improve the County's homeownership rate by increasing the availability of affordable housing units based on a percentage of median household income;
- (3) Preserve the County's existing housing stock;
- (4) Address the housing needs of the homeless (if a need exists);
- (5) Assess the County's existing and other program and organizational structure(s) in implementing a successful affordable housing strategy;
- (6) Profile successful affordable housing initiatives (ownership and rental) undertaken elsewhere by other local units of governments; and
- (7) Identify all state, local and federal funding sources (including the American Recovery and Reinvestment Act) available to successfully meet the proposed affordable housing strategy.

Mr. Bell indicated that with some minor revisions the request for proposal will be ready to send out for qualified firms to respond.

Vice-Chairman Norris moved to approve a Request for Proposal for Professional Services to assist the county in developing an Affordable Housing Strategy. The vote of approval was unanimous.

11. Planning – Proposed Brunswick Housing Development Rehabilitation and Preservation Program (Leslie Bell)

Leslie Bell, Planning Director, explained that Brunswick County in its Fiscal Year 2007/2008 Budget, set Affordable Housing as one of its Major Goals and Objectives. Subsequent to the adoption of that Budget, the County created a Community Development unit. The Community Development Unit works to build community capacity by preserving existing affordable housing stock and providing funds via grants for water hook up. Additionally, some interest has been raised regarding the quality and potential affordable housing programs available via the County's Section 8 rental assistance voucher program. To date, the County has administered and/or anticipate to administer \$2.3 million in grant funding for housing rehabilitation and replacement.

With the onset of the American Recovery and Reinvestment Act (stimulus) funding, potential opportunities may exist prior to the County's formulation of an Affordable Housing strategy. To supplement current community development initiatives and in the interim, Benjamin Quattlebaum II and Countywide CDC has requested support from the County to apply for stimulus funding to assist in addressing needs such as affordable housing development, foreclosure homeless prevention, weatherization energy efficiency, and potential tax credit funding for affordable housing (rental and ownership).

It is understood that any funding and efforts as described above will be in conjunction and supplement with any County-wide initiatives and may evolve as needs and funding is identified. Additionally, costs for any and/or all proposed services are not included and will need to be negotiated.

Mr. Quattlebaum explained the process of a senior lower income tax credit project partnered with Countywide CDC. After lengthy discussion, Mr. Bell indicated that the National Stabilization Funds information included in the Board's packet may not be an option for Countywide CDC as there is a requirement for the number of units rehabbed (75) in the past three years and Mr. Bell did not have this information from Countywide CDC. Mr. Bobby Brown, Countywide CDC

indicated that he thought that the CDC could meet this requirement. Commissioner Sue then asked for Mr. Brown to provide documentation to Mr. Bell if the requirement could be met.

Regarding stimulus money, the county may qualify for some funds and not others. There is no way of knowing definitively what funds the county will qualify for until the notice of funds availabilities (NOFAs) are released.

Regarding the low income housing tax credit senior housing project proposal, the Board asked Mr. Bell for a recommendation.

Mr. Bell indicated 4 options:

1. Fund the Project as presented in its entirety and move forward based on market study results.
2. Only fund the market study at this time and following completion of the market study, Countywide CDC could come back before the Board and ask for funding for the senior low income housing tax credit project as a separate request (based on market study results).
3. Ask Mr. Quattlebaum to work on a contingency basis.
4. Countywide CDC could apply for a capacity building grant in the amount of \$75,000 that would assist in building internal capacity for the CDC in preparation for a project such as this.

The preferred option would depend on the risk the county chooses to take.

Chairman Sue indicated that we entertain a combination of options. The first would be to support Countywide CDC in applying for a \$75,000 capacity building grant. Following lengthy discussion regarding the market study for the senior low income tax credit project, Vice-Chairman Norris asked that staff follow normal procedures in securing completion of the market study. Chairman Sue indicated that Mr. Bell could come back to the Board regarding a recommendation for completion of the market study.

Vice-Chairman Norris moved to direct the Planning Director to acquire a proposal for a Marketing Survey to determine the feasibility of Senior Multi-Family Tax Credit Affordable Housing and recommendation of a consultant to provide the marketing analysis and also to direct staff to assist Countywide CDC in acquiring a \$75,000 grant. The vote of approval was unanimous.

12. Resolution In Support of Applying for American Recovery and Reinvestment Act of 2009 Funding (Huey Marshall)

Commissioner Warren moved to approve a Resolution in Support of Applying for American Recovery and Reinvestment Act of 2009 Funding. The vote of approval was unanimous.

RESOLUTION IN SUPPORT OF APPLYING FOR AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDING

Whereas, the economies of North Carolina and the United States have not experienced the current financial issues since the Great Depression, and the fiscal difficulties of today are unmatched since that time, and

Whereas, these economic issues have been unequalled in the uniform effect that is being realized in all layers of the economic strata of this state and the other states, and in an attempt to correct and compensate for the harmful but lawful practices of the banks, insurance companies and other financial brokers, the Country's Administration and Congress have passed the American Recovery and Reinvestment Act of 2009, and

Whereas, the recovery will be gradual in its effect, it is important that the County prepare at the first available opportunity to apply for those funds, and that as soon as the Notice of Funding Availability is published by North Carolina, notifying of the availability of those funds provided by the Federal Housing

and Urban Development Administration through the Neighborhood Stabilization Program, the County must act quickly and decisively to provide for, as the program's name indicates, stabilizing homes, combating homelessness, providing the elderly with nutrition, retraining dislocated workers, and emergency food and shelter, and

Whereas, the State of North Carolina is slated to receive \$6,100,000,000.00, that amount is to be distributed over the entire state, so early action is imperative.

Now therefore, the Brunswick County Commissioners are hereby resolved to direct staff to apply for and coordinate efforts to receive as large a share as possible of those American Recovery and Reinvestment funds that have been designated for the State of North Carolina, and to see that those funds are awarded as judiciously as possible to those citizens of Brunswick County in the most need of being restored to productive citizen status.

This the 18th day of May, 2009.

s/William M. Sue, Chairman
Brunswick County Commissioners

Attest:

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

13. Administration – Presentation of the Recommended FY 2009-2010 Annual Budget and Scheduling of a Public Hearing on the Proposed Budget (Marty Lawing)

Staff recommends scheduling Public Hearing for the FY 2009-2010 Annual Budget for Monday, June 1, 2009 at 6:30 p.m.

Marty Lawing, County Manager, presented the recommended Annual Budget for FY 2009-2010 transmittal letter and asked the Board to set a public hearing on the budget for June 1, 2009 at 6:30 pm. Staff is requesting that the first budget workshop be scheduled for scheduled for Tuesday, May 26th or Wednesday, May 27th at a time to be determined by the Board.

Vice-Chairman Norris moved to hold a Budget Workshop on May 27, 2009 at 10:00 a.m. in the Commissioners Chambers and set a Public Hearing to receive input regarding the Proposed FY-2008-2009 Budget for June 1, 2009 at 6:30 p.m. The vote of approval was unanimous.

IX. COUNTY ATTORNEY'S REPORT

1. Deed of Dedication for St. James Plantation, The Reserve Master Utilities, Pump Stations 2 & 3 for Water and Sewer (Huey Marshall)

Huey Marshall, County Attorney, explained that these lines were ready for acceptance into the county system with a worth of \$465,977 for water lines and \$1,645,610.60 for sewer lines.

Commissioner Phillips moved to approve the Deed of Dedication for St. James Plantation, the Reserve Master Utilities, Pump Stations 2&3 for water and sewer lines. The vote of approval was unanimous.

2. Deed of Dedication for St. James Plantation, The Reserve, Moss Hammock Lots 95-108 and 113-116 for Water & Sewer (Huey Marshall)

Huey Marshall, County Attorney, explained that these lines were ready for acceptance into the county system with a worth of \$56,698.88 for water lines and \$23,838.61 for sewer lines.

Commissioner Phillips moved to approve the Deed of Dedication for St. James Plantation, The Reserve, Moss Hammock Lots 95-108 and 113-116 for water and sewer lines. The vote of approval was unanimous.

3. **Closed Session (Added Under Adjustments to the Agenda)**

Vice-Chairman Norris moved to enter Closed Session at 8:58 p.m. pursuant to NCGS 143-318. (a) (3) and (a) (4) to consult with the Attorney to protect attorney-client privilege, to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action and to establish or instruct the staff or agent concerning the negotiations of the amount of compensation or other terms of an employment contract. The vote of approval was unanimous.

Chairman Sue called a 10 minute break.

Reconvened 10:24 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 declare defaults on the infrastructure guarantee agreements on Seawatch, Phases 6A, 6B, 7A, 7B, 8A, 9, 10A, 10B, 10B lot 104 and the Pump Station in Seawatch, Ocean Isle Palms, Phases 1A, 1B, and 2, Ocean Ridge Plantation, Phase 5, Section and Ibis Bay. The vote of approval was unanimous.

X. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

XI. ADJOURNMENT

At 10:26 p.m. Chairman Sue moved to recess the Regular Meeting until May 27, 2009 at 10a.m. to hold a Budget Workshop in the Commissioners Chambers. The vote of approval was unanimous.

William M. Sue, Chairman

Deborah (Debby) Gore, Clerk to the Board