

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA
DECEMBER 20, 2010
6:30 P.M.**

I. Call to Order/ (Closed Session) 6:00 P.M.

I. Call to Order/ (Regular Session) 6:30 P.M.

II. Invocation/Pledge of Allegiance

III. Adjustments/Approval of Agenda

IV. Public Comments

V. Approval of Consent Agenda

A. Minutes

1. **December 1, 2010 Agenda Meeting Minutes**pg. 1
2. **December 6, 2010 Regular Meeting Minutes**pg. 2-21
3. **December 15, 2010 Agenda Meeting Minutes**pg. 22

B. Tax

1. **Monthly Collection Report for November, 2010**.....pg. 23-25
2. **Tax Releases for December 2010**.....pg. 26-33
3. **Motor Vehicle Valuation & Levy for August 2010**.....pg. 34-37

C. Financepg. 38-42

Declaration of Surplus Property and Disposal Thru Private Negotiated Sale

Assistant County Attorney Jana Berg requests approval to purchase the laptop computer and accessories assigned to her after MIS staff erases all County proprietary software and information. The average internet sales price of the same type of laptop is \$403 with accessories estimated value of \$20. The laptop purchase price was \$2,664.83 on 2/27/07. Request for the commissioners to declare the laptop and accessories surplus equipment and authorize the sale to Ms Berg for \$423.

General Fund:

Revenues:

Cape Fear RC&D Grant	106132-333110	\$2,000
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Expenditures:

Brunswick Nature Park	106132-457110	\$2,000
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The above budget amendment is to appropriate grant revenue from Cape Fear RC& D in the amount of \$2,000 for development of hiking trails along Town Creek at Brunswick Nature Park.

General Fund:

Revenues:

Insurance Revenues	104280-383913	\$4,169
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Expenditures:

Repair & Maintenance- Buildings	104280-435100	\$4,169
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The above budget amendment is to appropriate insurance revenue for the repair of the Administration Elevator due to lightning loss in August 2010.

General Fund:

Revenues:

Insurance Revenues	104310-383913	\$7,100
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Expenditures:

Capital Outlay-Vehicles	104310-454000	\$7,100
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The above budget amendment is to appropriate insurance revenue of \$7,100 to the Sheriff's Department to aid in the replacement of a 2008 Ford Crown Victoria that was declared a total loss after an accident.

Health Fund:

Expenditures:

COL-Vehicle Escrow Fund	135100-454000	\$(15,000)
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COL-Equipment	135162-455000	\$15,000
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The above budget amendment is to transfer funds from vehicle escrow fund and appropriate for the purchase of a CBC machine for the health department laboratory. The transfer was approved at the November 8, 2010 Board of Health meeting.

Water Capital Reserve Fund:

Expenditures:

Undesignated Funds	639800-464299	\$63,377
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Trans to Water Capital Project	639800-498041	\$(63,377)
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Water Fund:

Revenues:

Trans from Water Reserve	418247-398663	\$(63,377)
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Expenditures:

Salary & Wages Reimbursement	418247-412990	\$(430)
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Fringe Benefits Reimbursement	418247-418900	\$(126)
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Administration	418247-464000	\$(931)
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Construction 418247-464002 \$(61,890)

The above budget amendments are to close the completed Transmission System Improvements Project and return the unexpended funds of \$63,377 to the Water Capital Reserve for future projects at the direction of the Board of Commissioners.

**County of Brunswick, North Carolina
Transmission System Improvements Water Capital Project**

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 Transmission System Improvements Water Capital Project:

Water Capital Project Fund:

Revenues:

Transfer from Water Capital Reserve	<u>\$956,623</u>
Total Water Capital Project Fund Revenues	\$956,623

Expenditures:

Administration	\$136,598
Engineering/Architect/Legal fees	\$120,190
Construction	<u>\$699,835</u>
Total Water Capital Project Fund Expenditures	\$956,623

Section 2. The following amounts are hereby appropriated in the Brunswick County Water Capital Reserve Fund:

Contributions to the Capital Project	\$956,623
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Section 3. It is estimated that the following revenues will be available in the Brunswick County Water Capital Reserve Fund:

Current Funds Appropriated	\$956,623
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Section 4. This Capital Project Ordinance shall be entered into the minutes of the December 20, 2010 meeting of the Brunswick County Board of Commissioners.

Water Capital Reserve Fund:

Expenditures:

Undesignated Funds	639800-464299	\$31,922
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Trans to Water Capital Project	639800-498041	\$(31,922)
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Water Fund:

Revenues:

Trans from Water Reserve	418251-398663	\$(31,922)
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Expenditures:

Arch/Eng/Legal	418251-464001	\$(2,001)
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Construction	418251-464002	\$(29,921)
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The above budget amendments are to close completed the Navassa Water Tank project and return the unexpended funds of \$31,922 to the Water Capital Reserve Fund for future projects at the designation of the Board of Commissioners.

**County of Brunswick, North Carolina
Navassa Water Tank Water Capital Project**

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 Navassa Water Tank Water Capital Project:

Water Capital Project Fund:

Revenues:

Transfer from Water Capital Reserve	<u>\$618,078</u>
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Total Water Capital Project Fund Revenues	\$618,078
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Expenditures:

Engineering/Architect/Legal fees	\$53,174
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Construction	<u>\$564,904</u>
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Total Water Capital Project Fund Expenditures	\$618,078
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Section 2. The following amounts are hereby appropriated in the Brunswick County Water Capital Reserve Fund:

Contributions to the Capital Project	\$618,078
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Section 3. It is estimated that the following revenues will be available in the Brunswick County Water Capital Reserve Fund:

Current Funds Appropriated	\$618,078
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Section 4. This Capital Project Ordinance shall be entered into the minutes of the December 20, 2010 meeting of the Brunswick County Board of Commissioners.

- D. **Brunswick County Board of Commissioners Regular Meeting Schedule 2011**pg. 43
Staff requests approving the 2011 Brunswick County Board of Commissioners Regular Meeting Schedule.

VI. Presentation

- 1. **Southeastern Mental Health Annual Report (Foster Norman, Director)**pg. 44-50

VII. Public Hearing

- 1. **Planning-Unified Development Ordinance Text Amendment UDO-10-23(Leslie Bell)** ..pg. 51-61
Item 1 - Planning Staff recommends approval.
Item 1 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].
- 2. **Planning-Unified Development Ordinance Text Amendment UDO-10-24 (Leslie Bell)**.. pg. 62-65
Item 1 - Planning Staff recommends approval.
Item 1 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].
- 3. **Planning-Unified Development Ordinance Text Amendment UDO-10-25 (Leslie Bell)** .pg. 66-71
Item 1 - Planning Staff recommends approval.
Item 1 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].

Item 2 – Planning Staff recommends approval.
Item 2 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].

Item 3 – Planning Staff recommends approval.
Item 3 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].

Item 4 – Planning Staff recommends approval.
Item 4 - Planning Board recommends approval [6 to 0 with Mr. Michael Loyack and Mr. Steve Candler being absent; Mr. Denny Jordan serving as Alternate].
- 4. **Administration-Affordable Housing Incentive Policy (Marty Lawing)**pg. 72-74
Conduct a Public Hearing on a Proposed Incentive Policy for the Development of Affordable / Workforce Housing.

VIII. Administrative Report

- 1. **Operation Services – Port City Builders, Inc. Contract for Building E Renovation Project (Stephanie Lewis)**pg. 75-86
Staff recommends awarding contract for Building E HVAC system Installation to Port City Builders, Inc. in the amount of \$124,330 and approving a Budget Amendment in the amount of \$136,330.

2. **Operation Services – Sutton-Kennerly & Associates Proposal for Design & Construction Administration for replacement of HVAC systems in Buildings F, G, H, & I (Stephanie Lewis)**pg. 87-94
Staff recommends approving the proposal of Sutton-Kennerly Associates, Inc. for Design and Construction Administrative Services for Replacement HVAC Systems for Buildings F, G, H, I and the Associated Budget Amendment.
 3. **Utility Operations-ST Utilities Sewer Service Agreement-Transfer of Ownership (Jerry Pierce)**pg. 95-112
Staff recommends approving Sewer Service Agreement and Lease Agreement with ST Utilities Contingent upon Approval by the NC Utilities Commission.
 4. **Utility Operations-AECOM Technical Services of NC, Inc. Contract (Jerry Pierce)**.....pg. 113-120
Staff recommends approving Professional Services Agreement with AECOM Technical Services of North Carolina, Inc.
 5. **Utility Operations-Final Adjusting Change Order McLamb Construction-Calabash Sewer System (Jerry Pierce)**pg. 121-136
Staff recommends approving Final Adjusting Change Order to the Contract of L.M. McLamb & Son Construction Company Inc. for the Calabash Wastewater Collection System Expansion Project.
 6. **Utility Operations-Wharton-Smith, Inc. Change Order for Northwest Water Treatment Plant Improvements-Phase 1 (John Nichols)**pg. 137-149
Staff recommends approving Change Order No. 2 to the contract of Wharton-Smith, Inc. for the Northwest Water Treatment Plant Improvements Phase I.
 7. **Utility Operations-Carmichael Construction Change Order No. 1/Randolphville Road-Mt. Zion Church Road Water Line Improvements Project (John Nichols)**pg. 150-152
Staff recommends approving Change Order No. 1 to the Contract of Carmichael Construction Company.
 8. **Finance – Financial Report for November 30, 2010 (Ann Hardy)**pg. 153-155
Staff recommends receiving the November 30, 2010 Financial Report as information.
 9. **Finance – Board of Education Funding Agreement**pg. 156-160
Staff requests to approve the Funding Agreement with the Brunswick County Board of Education for Fiscal Years 2011-2012 and 2012-2013.
 10. **Administration – Proposed Reimbursement Agreement Ordinance Amendment and Set Public Hearing (Marty Lawing)**pg. 161-168
Staff recommends scheduling a Public Hearing on the Proposed Reimbursement Ordinance Amendment for January 18, 2011 at 6:30 p.m.
 11. **Tax Administration – Cranford Land Use Application (Tom Davis)**pg. 169-171
- IX. Board Appointments**
1. **Planning Board (1 appointment)**pg. 172
 2. **Southeastern Mental Health (1 appointment)**.....pg. 173
 3. **Economic Development Commission (2 appointments)**pg. 174-178

X. County Attorney’s Report

1. **Code of Ethics (Huey Marshall)**pg. 179-186
2. **Amend Position on the Parks & Recreation Board (Huey Marshall)**pg. 187-189
3. **Amend Position on the Utility Board (Huey Marshall)**pg. 190-192
4. **Animal Control Agreement with the Town of Sandy Creek (Huey Marshall)**pg. 193-198
5. **Ad Valorem Taxes Pay Prior to Deed Recording (Huey Marshall)**pg. 199-201
6. **Resolution Declaring Default/Berkshire Coincidence, LLC (Jana Berg)**pg. 202-205

XI. Other Business/Informal Discussion

XII. Adjournment