1. **Call to Order**

Mayor Winecoff called the meeting to order at 6:30 p.m.

**Attendance:**

Mayor Jeff Winecoff

Mayor Pro Tem David Mammay

Commissioner Kim Sherwood

Commissioner Teagan Hall

Commissioner Justin Lovin

City Manager Gordon Hargrove

Assistant City Manager Nicole Morgan

Police Chief Kevin Smith

Parks & Rec. Director Sara Goodwin

City Clerk Tanya Shannon

1. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

1. **Approval of the Regular Agenda**

Commissioner Mammay requested that the agenda be amended to include a closed session. Commissioner Hall made a motion to add the closed session to the agenda, which was seconded by Commissioner Sherwood. ***Unanimous Vote; Motion Carried.***

1. **Potential Conflict of Interest/Association Disclosure**

No BOC member indicated any kind of conflict or association with any item on this evening's agenda.

1. **Public Comment**
2. James Maney,1180 President Dr., thanked the Building Permits and Inspections Department for their exceptional support in navigating the permit and inspection process for building his workshop.
3. Thad Brewer, 1769 Rayford Rd. reminded everyone about the free vision screening event sponsored by the Southport Lions Club Vision Screening Program on March 29 at the Boiling Spring Lakes Community Center for ages 6 months to 16 years old.
4. The Special Events Committee presented the Animal Services Department with a $1,000 check, which the Police Chief accepted to assist with their wish list items.
5. **Consent Agenda**

Items on the consent agenda are considered routine in nature. Monthly Reports for each of the departments were distributed with the agenda packet and are incorporated herein.

* 1. Approval of the BOC Minutes

January 7 Regular Meeting

January 15 Budget Workshop

* 1. Public Works
  2. Public Safety/ Animal Control
  3. Parks and Recreation
  4. Finance Department
  5. Planning and Zoning/ Code Enforcement
  6. Building Inspections

Commissioner Lovin made a motion to approve the Consent Agenda, which Commissioner Hall seconded. ***Unanimous Vote; Motion Carried.***

1. **Committee/ Board Reports and Minutes**
   1. **BSL Fire/ Rescue**- no report
   2. **Community Appearance Commission** –no report
   3. **Planning Board**

Chair Launderville gave the report. At the last meeting, the Board appointed Lucille Launderville as Chair and Carried Moffett as Vice Chair. The 2025 Planning Board meeting schedule was reviewed and approved. Ms. Morgan gave a presentation meeting on SB-382, which, if left as is, will significantly affect the ability to change some aspects of the UDO. The Board is hopeful that there will be modifications to the Bill that will counter some of the changes that affect the City of Boiling Spring Lakes.

* 1. **Parks and Recreation Advisory Board**

Mr. Patterson stated that the participation in the senior and adult programs continues to grow. The fitness rooms have been quite busy. The vandal responsible for damaging the Muse Park goal will be accountable for the repairs. Parks and Recreation will be reviewing their goals as well as the 2018-2023 Parks and Recreation Master Plan. In addition, they will assess the City of Boiling Spring Lakes Pedestrian Plan Executive Summary from 2020.

* 1. **Special Events Committee**

Ms. Hogan summarized the events and dates scheduled for the year following their discussions in the January monthly meeting:

Easter EGGstravaganza - April 12, 2025

Mayor's Cup Golf Tournament @ The Lakes Country Club - August 9, 2025

Fall Festival @ Community Center - October 8, 2025

Candidates Night - October 23, 2025

Christmas Tree Lighting and Parade  - December 5, 2025

8.6 **Library Commission**

Highlights from the January meeting were provided. Tammy Sollenberger will have Margaret Boyne as a co-administrator for Facebook Page management by the end of the week. Other members of the Library Commission will follow. Upcoming at the next Meeting: Training Workshop, Update Procedure List, Discuss National Library Week 2025, and Budget Request for 2025/2026.

8.7 **Grants Committee-** no report

1. **City Manager's Monthly Report**

Mr. Hargrove gave an update on the Dams:

**Sanford Dam**: Sanford Dam suffered extensive damage to the temporary work during TC #8. The coffer dam, diversion ditch for control of water, and the dewatering systems were all destroyed during TC #8. The Contractor has repaired the majority of the damage, and work continues to move the Sanford Dam portion of the project forward. Quality control testing of the stage 2 cut-off wall will continue over the next 30 days. Remedial panels of the cut-off wall for Stage 3 will be started as long as QC testing for stage 2 is within standards.

**North Lake Dam and Pine Lake Dam**: Since TC #8, the City has asked the Contractor to focus on the North Lake and Pine Lake Dam sites in an effort to open E. Boiling Spring Rd. as soon as possible. Depending on the weather, it is anticipated that E. Boiling Spring Rd. will be open in the Spring of 2025. Concrete work continues at both sites.

**Upper Lake Dam**: The Upper Dam is almost 95% complete. The breach has been backfilled and the Contractor started to armor the earthen bank with riprap. The spillway at the Upper Dam is fully functional. Next, the low-level drains will be installed. Completion of this Dam will be a major milestone for the project. This Dam site experienced the least amount of damage from TC#8.

Mr. Hargrove stated that the Hydrological Analysis report returned and showed that the Dam System would have withstood the twenty-two inches rain with the new system. He said that City staff has been meeting with FEMA as it concerns TC#8, and there was a recovery scoping meeting. This involves working with them to identify the damages in the City. He said that March 10 is the deadline to submit any more damages. Mr. Hargrove said it is still challenging to find the funds to repair the road washouts, damage to city hall, and the EWP (Emergency Watershed Protection) projects. He said they continue to work with the State Representatives. He stated that the estimated cost for road portion repairs and some EWP work is between 5 to 7 million dollars. He said the plans for the Senior Center are around 90% complete. He said the project will soon be ready to put out to bid. Mr. Hargrove said the budget is still being worked on with a focus on infrastructure around stormwater mitigation. He informed everyone that the golf course was building a new clubhouse. At the same time, they have been renting the old clubhouse from the City. They have submitted the required notice that they will be vacating that building. Mr. Hargrove said that moving our sewer line into our easement has been completed and is now a non-issue. He thanked the Public Works Department for all their work in completing that job. He said the new city bus was in the parking lot for anyone to view inside and out. The bus will be a great asset to the community.

1. **Old Business**

11.1 **Ordinance to Amend Article 9, Section 9.2 of the Unified Development Ordinance.**

Ms. Morgan gave an overview of the Amendment. She said currently, the Ordinance requires plot plans to include existing and proposed structures, setbacks, and total impervious calculations. To better ensure the layout and design of these development types are compatible with and meet the Ordinance's requirements, the proposed amendments would require additional site features to be included on the plot plan. They would require plot plans for accessory structures over 400 square feet to be completed by a licensed surveyor.

Commissioner Mammay made a motion to approve the Ordinance to Amend Article 9, Section 9.2 of the Unified Development Ordinance and, seconded by Commissioner Lovin. ***Unanimous Vote; Motion Carried.***

11.2**Ordinance to Amend Article 5, Section 5.5 of the Unified Development Ordinance.**

Ms. Morgan explained that a text amendment to Article 5, Section 5.5, was proposed to remove indoor mini-storage units as a permitted use in the C-1 zoning district. This Amendment was introduced at the Planning Board meeting on November 12, 2024, and the Board voted unanimously to recommend its approval. In accordance with NCGS 160D-601, a legislative hearing was scheduled during the regular meeting of the Board of Commissioners meeting. However, Senate Bill 382 was introduced and will make various changes to the law, which became Session Law 2024-57 on December 11, 2024. A section of Senate Bill 382 specifically modifies NCGS 160D-601 by redefining down-zoning and removing all authority for local government-initiated down-zoning without the consent of all property owners. Therefore, it is the Staff's recommendation to table the proposed Amendment until the Bill is potentially ratified.

Commissioner Sherwood moved to table the proposed Ordinance to amend Article 5, Section 5.5 of the Unified Development Ordinance, which Commissioner Hall seconded. ***Unanimous Vote; Motion Carried.***

1. **New Business**
   1. **Resolution Opposing Provision of Senate Bill 382/Session Law 2024-57 Zoning Authority of Local Governments.**

Commissioner Hall motioned to approve the Resolution Opposing Provision of Senate Bill 382/Session Law 2024/57 Zoning Authority of Local Governments, seconded by Commissioner Lovin. ***Unanimous Vote; Motion Carried.***

* 1. **Ordinance Granting a Franchise Agreement to Duke Energy Progress, LLC**

Ms. Morgan explained that in accordance with NCGS 160A-319, the City has the authority to grant franchises for various public enterprises, including electric power, generation, transmission, and distribution systems. A franchise granted by the City authorizes the operation of the franchised activity within the City. On March 4, 1965, the City of Boiling Spring Lakes granted such franchise unto Carolina Power & Light Company, its successors, and lessees for a term of sixty (60) years (maximum term allowable under NCGS 160A-319). The current franchise expires on March 4, 2025.

Commissioner Lovin made a Motion to approve the first required reading of the Franchise Agreement to Duke Energy Progress, LLC, seconded by Commissioner Mammay. ***Unanimous Vote; Motion Carried.***

* 1. **Planning Board Appointments**

Two applicants have reapplied for two positions on the Planning Board, and there were no other applications. 1. Carrie Moffett- expired term February 2, 2025, 2. David Van der Vossen- 1st Alternate -expired term January 10, 2025.

A motion was made by Commissioner Hall to reappoint Ms. Carrie Moffett to a 2-year term on the Planning Board, seconded by Commissioner Lovin. ***Unanimous Vote; Motion Carried.***

Commissioner Lovin motioned to reappoint Mr. David Van der Vossen as 1st Alternate to the Planning Board for a 2-year term, seconded by Commissioner Mammay*.* ***Unanimous Vote; Motion Carried.***

1. **Mayor and Commissioners Reports**

Commissioner Sherwood would like to ensure that the City's Pedestrian Plan is shared with all developers. She also has concerns about the narrow road along the Upper Dam and would like it to be reviewed for safety. She noted that the current configuration allows for two lanes and a shoulder wide enough for just two people to walk. This has raised concerns among citizens. She suggested considering a one-way road that would include a designated walkway for pedestrians, connecting the entire west side to the Community Center.

Additionally, she inquired about organizing a sewer meeting soon to discuss issues related to the roads and the necessary expansions of the pipes along Highway 87.

Commissioner Mammay wanted to thank the Public Services Department. He said he saw the guys working and that they take on all kinds of projects around the City. He said they are a small group, and they do a great job. He wanted to commend them this month because they are the unseen entities who do a lot of great work, and he appreciates them.

Commissioner Hall also thanked the Public Services Department and the Special Events Committee for raising money and then donating it back to the City. She knows the funds will be of good use to Animal Services.

Commissioner Lovin said, please go check out the new Parks and Recreation bus to be used throughout the Department for great use. He wished everyone a Happy Valentine's Day.

Mayor Winecoff thanked the Special Events Committee for all that they do. It reiterated what Manager Hargrove stated regarding FEMA and how challenging it is to work with them, saying that the process is long and filled with red tape. Mayor Winecoff just got promoted in January to be a voting member of the Transportation Advisory Committee. He now has a role in helping manage the roads in Brunswick County, ensuring he will benefit both the City and the County. On February 5, he and the city manager will host a live Facebook chat to discuss everything that has been brought up about the City. He said he didn't know what else could be done because they have monthly meetings and quarterly public forums for the citizens to come and discuss issues with the Board. He mentioned that they would discuss E. Boiling Spring Lakes Rd., stormwater issues, the dams, and funding. He expressed frustration with comments on Facebook and encouraged people to contact him directly. He is always open to meetings and is making an effort to reach out to answer questions, as he believes it is important to fulfill his commitment to the community.

1. **Announcements**

1. City Hall and Offices will be closed on February 17 in honor of President's Day.

2. The BOC will attend the NCLM's Town & State Dinner on February 26 in Raleigh. No business will be taking place.

3. The BOC will attend the Cape Fear Council of Government's Banquet and Award Ceremony on February 27 in Supply. No business will be taking place.

4. The next Board of Commissioners Meeting is March 4.

Commissioner Sherwood made a Motion to enter into a Closed Session per § 143-318.11, seconded by Commissioner Mammay. ***Unanimous Vote; Motion Carried.*** —7:05 p.m.

There was no further discussion. Commissioner Lovin made a motion to enter back into open session, which Commissioner Sherwood seconded. ***Unanimous Vote; Motion Carried.***

Commissioner Mammay then made a motion to adjourn, with Commissioner Lovin seconding. ***Unanimous Vote; Motion Carried.***

Adjourned—8:07 p.m.

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Mayor, Jeff Winecoff

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Attest: City Clerk, Tanya Shannon