

**TOWN OF OCEAN ISLE BEACH
THREE WEST THIRD STREET
OCEAN ISLE BEACH, NC 28469**

**BOARD OF COMMISSIONERS MEETING
January 12, 2016
MINUTES**

MEMBERS PRESENT:

Mayor Debbie Smith
Commissioner Betty Williamson
Commissioner D.B. Grantham
Daisy Ivey, Town Administrator
Casey Reeves, Town Clerk

Mayor Pro Tem Dean Walters
Commissioner Bob Williams
Commissioner Wayne Rowell
Mike Isenberg, Town Attorney

OTHERS PRESENT:

Approximately 60 Property Owners and Guests
Michael Norton - Compass Pointe Engineering, PA
Brian Slattery – Brunswick Beacon

MEETING CALLED TO ORDER

Mayor Smith called the meeting to order with everyone repeating the Lord's Prayer and pledging allegiance to the flag.

CONSENT AGENDA

The consent agenda included approval of minutes of December 8, 2015 Board of Commissioners meeting. The consent agenda was unanimously approved upon a motion of Commissioner Williamson with a second by Commissioner Rowell.

ADOPTION OF AGENDA

The agenda was approved upon a motion of Mayor Pro Tem Walters with a second by Commissioner Rowell with an amendment to add the Discussion and Approval of a new quote submitted by a qualified party for the Town's *Pay and Classification Study*. Executive Session was amended to include the Discussion and Acquisition of Real Property and the Potential Lease of Real Property. The vote to accept the amended agenda was unanimous.

REPORTS BY MAYOR

Mayor Smith stated that she had no additional reports at this time.

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 2

DEPARTMENTAL REPORTS

1. Administration – Mrs. Ivey presented the financial dashboard indicating an increase in cash and investments over the same period last year. All funds showed an increase. Mrs. Ivey stated that General Fund expenditures were at 37.51% compared to 42% at the same time last year. Mrs. Ivey indicated that as of December 15th, 2015 we were at a tax collection rate of 67% and have increased the collection percentage rate to 89.22% as of January 11, 2016. Currently there is approximately \$367,000 outstanding for 2015 taxes and \$1,971 for 2012-14 taxes. Mrs. Ivey also noted that Accommodation tax showed an increase of 12.96% last month overall. Mrs. Ivey stated that she has received information from NCDOT that there is a delay in drafting our reimbursable agreement for the roundabout due to the NCDOT's need to wait for additional information concerning the relocation of certain utilities. Mrs. Ivey reported that the Town met with a POA representative from Summer Place and the Town plans to install street lights in that area in the near future. Mrs. Ivey commented that the Town will be conducting interviews to fill a vacancy in the Police Department during the coming week. Mrs. Ivey stated that the Brunswick County Parks and Recreation Committee and the Benesch Group will present the conceptual plan for buildout of the Ocean Isle Beach Park to the Steering committee on January 22nd and to the general public on February 2nd from 5:30 -7:30pm. Mrs. Ivey encouraged the public to attend this meeting. Mrs. Ivey reported that the Town received information from the Army Corps of Engineers on January 4th that they are diligently working on the comments for our final Environmental Impact Study. Mrs. Ivey continued that the Corps stated they aim to have it completed by the end of the week barring any unforeseen issues and added that the SDI-5 project was also progressing.
2. Police Department – Chief Ken Bellamy stated the department was down 15% in total call volume and 33% in incidents involving investigation. Chief Bellamy commented that arrests were up 25% and no traffic accidents had been reported this month. Chief Bellamy remarked that citations were also down 14% and warning citations had increased by 33%. Chief Bellamy stated that the Police Department completed 120 hours of training during the past month.
3. Fire Department – Asst. Chief Rash reported during the month of December the Department completed 234 hours of training and 40 inspections were performed. Asst. Chief Rash stated the overall call volume was up 43% for the month and had a decrease of 1.2% for the 2015 calendar year. Asst. Chief Rash reported that the 2015 AFG Grant for the acquisition of a new ladder truck is complete and ready for submittal once approved.

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 3

4. Public Utilities – Mr. Justin Whiteside reported that a storm water pipe had been installed on Concord in addition to a catch basin on Concord and Craven streets. Mr. Whiteside continued that French drains were installed on Greensboro Street to help alleviate ponding during rain events and additional storm water projects are scheduled to begin pending conducive weather conditions and required easements. Mr. Whiteside stated that sidewalk sweeping was scheduled within the next few weeks.
5. Planning and Zoning – Mr. Justin Whiteside reported that the State was denied the Federal declaration of “Disaster Area” despite an appeal attempt by State Governor McCroy. Mr. Whiteside stated the Town obtained the CRS recertification for flood insurance as Class 8 for another year. Mr. Whiteside stated the appeal period for preliminary flood maps ends at the end of January 2016. Mr. Whiteside continued that right-of-way issues regarding certain docks on canal streets have been rectified through relocation. Mr. Whiteside provided an update regarding mobile vendor cart applications stating that 3 of the maximum allowed number of carts (15) remain available for vendor reservation. Mrs. Ivey added that the Town Staff, Board Members and Property Owners collectively donated enough funds during the month of December to purchase an additional Beach Wheelchair for public use, bringing the total number of available wheelchairs to five (5).
6. Building Inspections – Mr. Whiteside reported a total of 92 permits with a construction valuation of \$2,511,434 were issued during the month of December 2015. Mr. Whiteside commented that this was a 17% increase over December 2014 figures. Mr. Whiteside continued that the yearly tally included: 25 new single-family residential (SFR) dwellings within Town limits, 45 SFRs in the ETJ, 2 new commercial properties, and 1 new mobile home for a total permit value of \$30,340,221, up 16% over the previous year.

COMMENTS

David Martin – 248 E. First Street – Mr. Martin stated that he was offended by the way the public handled themselves in the December meeting. Mr. Martin commented that personal attacks of character were unnecessary and that he hopes there will not be repeat occurrence in the future. Mr. Martin also stated that he was neither for, nor against, the Multi-Use Path, but was concerned about adding more impervious surface to the island and possibly causing increased flooding issues.

Ida Moon – 92 E. Second Street – Mrs. Moon stated that she had requested the Town to place identifying markers on her son’s property located at 120 W. First Street to reflect where the proposed Multi-Use Path would be constructed. Mrs. Moon commented that she has concerns regarding the proximity of the path to the front steps of the property in addition to general safety concerns.

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 4

Tom Adams – 100 W. First Street – Mr. Adams commented that he supports the concept of the Multi-use Path but has concerns regarding the safety of property owners reversing over the Multi-Use Path while backing out of their driveways. Mr. Adams also stated his concerns that the Multi-Use Path would impact property values and additional concerns regarding the resources required to maintain the path.

Mike Murphy – 86 W. First Street – Mr. Murphy submitted photographs to the Board which he stated reflect 9 cars parked in front of a residence over the Christmas holiday, 4 of which were parked on the sidewalk. Mr. Murphy stated his concerns regarding how parking will be regulated once the proposed Multi-Use Path is installed. Mrs. Ivey replied to Mr. Murphy's comments, stating the Town Police Department would enforce parking regulations. Chief Bellamy added that citations are written for parking violations and towing is enforced when necessary.

Cherri Cheek – 27 Craven Street – Mrs. Cheek stated that she agrees with Mr. Martin's previous comments regarding meeting conduct and with Mr. Adams concerns regarding maintenance upkeep for the proposed Multi-Use Path. Mrs. Cheek commented that she hopes the Board will consider an alternative location on the island.

Stephen Koontz – 246 W. First Street – Mr. Koontz stated that his family avoids W. First street due to the congestion during the tourist season and would like to see the situation improved. Mr. Koontz commented that he fully supports the implementation of the Multi-Use Path. Mr. Koontz continued that he is concerned that the implementation of a Multi-Use Path on W. First Street might complicate parking issues and cause additional safety issues if residents/visitors violate safety guidelines on the proposed Multi-Use Path. Mr. Koontz also echoed concerns of other residents regarding possible drainage issues resulting from increased impervious surface.

Julie Sauciuc – 234 W. First Street – Mrs. Sauciuc stated that she recently purchased her home on W. First Street and would have possibly selected a different location to purchase had she known the proposed Multi-Use Path would be located on W. First Street. Mrs. Sauciuc asked the Board to consider an alternative location.

Mike Marrow – 133 E. First Street – Mr. Marrow stated he did not know much about the proposed Multi-Use Path but wanted to voice his concern with the potential parking issues that the Multi-Use Path might create.

Cindy Setzer – 220 W. First Street – Mrs. Setzer expressed gratitude for those who attended the meeting and commented on concerns. Mrs. Setzer requested that Town Staff discuss alternative measures for disseminating information to the public regarding any new projects. Mayor Smith replied that it is of utmost importance to the Town to keep the public informed of all projects and encouraged the public to utilize the Town website and sign up for email notifications in order to

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 5

receive the latest updates. Mrs. Setzer added that the island is to “built-up” to accommodate the space required for the proposed Multi-Use Path.

David Marrow – 135 E. First Street - Mr. Marrow stated that he was concerned with the potential parking issues that the Multi-Use Path might create.

Bob Setzer – 220 W. First Street – Mr. Setzer stated that he initially found out about the Multi-Use Path when he observed a survey crew in front of his property. Due to Mr. Setzer’s concerns regarding the path, Mr. Setzer drafted a letter that he mailed to 436 property owners on Ocean Isle Beach. Mr. Setzer stated that he received 147 responses (133 against the location of the Multi-Use Path and 14 letters in favor.) Mr. Setzer provided copies of these responses to the Town prior to the meeting. Mr. Setzer suggested to the Board that the project be moved to another location on the island. Mr. Setzer also suggested to the Board that improved signage on existing sidewalks and street might alleviate some of the congestion caused by bikes on the streets. Mr. Setzer continued by echoing concerns from previous comments regarding potential parking issues. Mr. Setzer commented that the public was confused about what the Multi-Use Path was and where it would be located. Mr. Setzer stated that he completed and submitted the original survey distributed by the Town and that he voted “yes” to the need for a Multi-Use Path on the island. Mr. Setzer suggested to the Board that the speed limit on the island should be reduced from 35mph to 25mph. Mr. Setzer stated that he agreed with David Martin’s concerns relating to possible flood issues caused by an increase in impervious surface area due to the installation of the Multi-Use Path. Mr. Setzer concluded by suggesting the Board consider alternative locations for the Multi-Use Path.

Arnold Freeman – 129 E. First Street - Mr. Freeman stated that he did not know much about the topic of the Multi-Use Path, but was confused as to why the Town would install a Multi-Use Path that could potentially attract more cyclists to the area and add to the congestion. Mr. Freeman remarked that he has heard the negative commentary regarding the multi-Use Path and requested that the Board explain the potential positive impacts and/or needs that initiated the Multi-Use Path project. Mayor Smith replied that the Town has presented information to the public since the conception of the Multi-Use Path project over 2 years ago via multiple avenues. Mayor Smith again encouraged the public to confirm that the Town has their current and correct email address on file and to frequently visit the Town website to stay informed about projects the Town is working on. Mayor Smith reiterated the importance of proactive communication with the Town and that the Town welcomes feedback from the community. Mayor Smith stated that there are large amounts of joggers, walkers, and bikers on the street during the summer months and that the intention of this project was to increase safety for everyone.

Commissioner Rowell stated that an overwhelming majority of the surveys distributed to Ocean Isle Beach Property Owners reflected that the #1 priority for change was a need for a bike path to be constructed on the island. Commissioner Rowell continued that the request for a bike path was based on safety concerns and increased connectivity between the east and west ends of the

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 6

island. Commissioner Rowell noted that Board/Staff actions to develop the Multi-Use Path project were based on the results of the survey. Commissioner Rowell stated that he is for bike paths on the island but is possibly open to considering an alternative location. Commissioner Rowell echoed the Mayor's plea for the public to take a more pro-active approach of staying informed of Town projects and events by visiting the Town website or contacting Town Hall directly.

Commissioner Grantham also noted the importance of improved communication and asked the public to submit suggestions to the Town on how the Town could disseminate project information more effectively.

Mayor Smith restated the importance of email communications and urged the public to ensure the Town has the most current email for each Property Owner on file. Commissioner Williams thanked everyone who spoke at the meeting and appreciates the tone and demeanor that concerns were expressed. Commissioner Williams reminded the public that the Town is actively working to find solutions that will work for the betterment of everyone.

Being no further comment was heard, Mayor Smith declared the Public Comments Section closed.

OLD BUSINESS

1. Mayor Smith stated the first item of old business was the Discussion and Review of Proposed Multi-use Path Layout. Mayor Pro Tem Walters made a motion to stop the *phase one* process of the proposed Multi-Use Path project and look at additional locations and alternatives. The motion received a second from Commissioner Williams and the Board voted unanimously to approve the motion.

NEW BUSINESS

1. Mayor Smith stated the first item of new business was the Discussion and Approval of Request for the Paws-Ability 6th Annual Bicycle Poker Run to be held October 8, 2016. Mayor Pro Tem Walters made a motion to approve the activity, the use of Town property adjacent to Museum for tent placement, parking, etc., and the waiver of fee due to non-profit status. The motion received a second from Commissioner Rowell. The vote was unanimous.
2. Mayor Smith stated the next items of new business were the Discussion and Approval for the 2016 Jolly Mon King Classic to be held June 15-19 and the 2016 Fall Brawl King Classic to be held October 6-9. Commissioner Rowell made a motion to approve both activities. The motion received a second from Commissioner Williamson. The vote was unanimous.
3. Mayor Smith introduced the next item of new business was the Discussion and Review of the FEMA Preliminary Flood Insurance Rate Map Appeal. Mr. Whiteside

Board of Commissioners Meeting (Cont.)

January 12, 2016

Page 7

explained that Mr. Frank Williamson had recommended the Town review the Preliminary Flood Insurance Maps due to a possible discrepancy regarding transect lines that crossed a storm-water retention pond and potentially resulted in inaccurate data reporting. Mr. Whiteside recommend the Board approve the submission of the maps to FEMA and the State of NC for review. Commissioner Grantham made a motion to approve the submission of maps to FEMA and the State Of NC for review and received a second from Commissioner Williams. The vote was unanimous.

4. Mayor Smith introduced the next item of new business as Discussion Regarding Skydiving Rules and Regulations for Odell Williamson Municipal Airport. Staff recommended an amendment to Airport Rules and Regulations to permit Skydiving as an aeronautical activity at the OWMA as required by FAA guidelines. Mrs. Ivey explained that federally obligated airports are required under the Grant Assurances to allow all aeronautical activities unless there is an FAA finding. Mrs. Ivey commented that anyone participating in skydiving activities at OWMA would be required to meet our rules and regulations which include, but are not limited to, insurance liability coverage. Commissioner Grantham made a motion to approve the amendment to Airport Rules and Regulations and received a second from Commissioner Williamson. The vote was unanimous.
5. Mayor Smith introduced the final item of new business as Discussion and Approval of a new quote submitted by a qualified party for the Town's *Pay and Classification Study*. Mrs. Ivey commented that the Town had received a new quote from a qualified company to conduct the required research and compilation of the new Pay and Classification Study. The quote received was from the Cape Fear Council of Government in the amount of \$4,200.00 compared to the previous quote received from the MAPS Group for \$9,060.00. Mrs. Ivey recommended the Board rescind previous approval from the December meeting for Maps Group services and award it to the Cape Fear Council of Government. Mayor Pro Tem Walters made a motion to rescind the previous Board action and grant approval to the new qualified party. Commissioner Grantham seconded the motion and the Board voted unanimously approved the motion.

EXECUTIVE SESSION

The Board recessed to executive session upon approval of a motion by Commissioner Williamson, seconded by Commissioner Grantham. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve minutes of the December 8, 2015 Executive Session as per G.S. 143-318.11(1), to consult with the Town Attorney regarding pending legal issues (Jackson/Hill Aviation) as per GS 143-318.11(3), to discuss Condemnation Mediation per GS 143.318.11 (3) with the Town's attorney, discussion and acquisition of Parcel #244LG015 per G.S. 143-318.11(5) and discussion of lease of property described as Parcel #257DH00407 as per G.S. 143-318.11(5).

Board of Commissioners Meeting (Cont.)
January 12, 2016
Page 8

The Board returned to regular session upon a motion of Commissioner Williamson with a second by Commissioner Rowell. The vote was unanimous. Mayor Smith stated during executive session the Board unanimously adopted the minutes of the December 8, 2015 Executive Session upon a motion of Commissioner Rowell with a second by Commissioner Williams. Mayor Smith stated the Board discussed legal matters with Town's Attorney involving Jackson/Hill Aviation as well as the condemnation proceedings and the possible acquisition and lease of property as described as Parcel #244LG015 and #257DH00407.

ADJOURN

Being no additional business was heard, the meeting was adjourned upon a motion of Commissioner Rowell with a second by Commissioner Williamson. The vote was unanimous.

DATED: February 9, 2016

SIGNED: Debbie S. Smith
Debbie S. Smith, Mayor



ATTEST: Casey E. Reeves
Casey E. Reeves, Town Clerk