

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

**BOARD OF COMMISSIONERS MEETING**

**April 12, 2016**

**MINUTES**

**MEMBERS PRESENT:**

Mayor Debbie Smith	Mayor Pro Tem Dean Walters
Commissioner Betty Williamson	Commissioner Bob Williams
Commissioner Wayne Rowell	Daisy Ivey, Town Administrator
Mike Isenberg, Town Attorney	Casey Reeves, Town Clerk
Justin Whiteside, Asst. Town Administrator	

**MEMBERS ABSENT:**

Vacant Commissioner Seat

**OTHERS PRESENT:**

Approximately 30 Property Owners and Guests  
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 March 8, 2016 Board of Commissioners Meeting and March 10, 2016 Budget Workshop Minutes. 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 Commissioner Rowell with a second by Commissioner Williams with an amendment to revise Agenda Item J to read as *Recess to Reconvene on Monday, May 2<sup>nd</sup>, 2016 at 9:00am for Budget Workshop* and to amend Executive Session Item #4 to read: *To discuss the price and other material terms regarding the proposed acquisition of real property owned by the Williamson Family and adjacent to public beach accesses per G.S.143.318.11 (5)*. The vote to adopt the amended agenda was unanimous.

**REPORTS BY MAYOR**

Mayor Smith reported that she, Mrs. Ivey, and Mr. Whiteside will be attending the NCBIWA 2016 NC Coastal Local Government Annual Meeting on Wednesday April 20 to Thursday April 21, 2016 at the NC Aquarium at Pine Knoll Shores.

**DEPARTMENTAL REPORTS**

1. Administration – Mrs. Ivey presented the financial dashboard indicating an increase in cash and investments over the same period last year. Mrs. Ivey stated that revenues in the General Fund were at 87.82% compared to 80.72% at the same time last year and General Fund expenditures were at 69.48% versus 67.50% over the same time period last year. Mrs. Ivey indicated that as of March 2016 the tax collection rate was at 93.40% with approximately \$230,752 outstanding for 2015 taxes and \$693.99 for the years 2012-2014. Mrs. Ivey also noted that Accommodation tax showed an increase of 24.67% last month overall and VRBO increased 44.40%. Mrs. Ivey reported that the Terminal Groin Federal Environmental Impact Study (EIS) was scheduled to appear on the Federal Registry on April 8<sup>th</sup>, 2016, but the Town received news at the last moment that the Corps Regulatory Chief needed to review the study, possibly delaying the publication for another 2 weeks. Mayor Smith has placed calls to the Regulatory Chief urging him to complete his review as soon as possible. Mrs. Ivey commented that Town Staff and Mayor Smith met with Ken Richardson from CAMA to discuss new regulations regarding the Development Line. Town Staff will be discussing the situation further with CAMA for additional clarification and will submit the information to the Board in the near future. Mrs. Ivey announced that a Public Meeting was being held at Ocean Isle Beach Town Hall on April 26<sup>th</sup>, 2016 at 6:00pm by Brunswick County Parks and Recreation for the purpose of discussing the Parks and Recreation Trust Fund Application for Ocean Isle Beach Park. Mrs. Ivey encouraged all residents to attend the meeting to show their support for the project. Mrs. Ivey stated that we are looking at an April timeframe regarding the issuance of the SDI-5 permits.
2. Police Department – Chief Ken Bellamy stated that total investigations were down 16% over this same time last year and arrests were up 50%. Chief Bellamy noted a decrease of 50% in motor vehicle accidents and an increase in citations of 125%. Chief Bellamy stated that most of these citations were for misdemeanor alcohol and drug paraphernalia offenses and attributed the increase to the large Spring Break crowds on the island in March. Chief Bellamy reported a 77% increase in warning citations and 100% increase in Ordinance Violation tickets. Chief Bellamy noted that the Police Department received a total of 1077 calls in March and completed a combined total of 120 hours of training.
3. Fire Department – Chief Yoho reported during the month of March the Department completed 735 hours of training and 35 inspections were performed. Chief Yoho stated the Department received a total of 52 calls with 19 of those calls coming from within the Town limit. Chief Yoho reported that the OIBFD participated in 5 mutual aid calls outside the Town limits during the month of March. Chief Yoho reported a 3% call volume decrease over this time last year and commented that no information regarding grant approval for the new fire truck has been released yet.

## **Board of Commissioners Meeting (Cont.)**

**April 12, 2016**

**Page 3**

4. Public Utilities – Mr. Bobby Hardy reported that the Public Utilities department discovered, and successfully resolved, a Gator-gate malfunction on Laurinburg street that was causing unnecessary flooding. Mr. Hardy stated the Department had recently completed cleaning 3,000 feet of main sewer line. Mr. Hardy expressed gratitude to the Board of Commissioners for approving the purchase of a new Crane Truck for the Sewer Department. Mr. Hardee commented that the Sewer Department staff is now able to conduct their work more efficiently and with greater safety. Mr. Hardy commented that the Street Department had ordered their spring planting materials and installed “No Parking” signs on Shallotte Blvd. Mayor Smith noted that the Street Department has been working extra hard due to being short staffed. Commissioner Rowell thanked Spencer Thornton and his crew for their notable efforts while the Town searches for a replacement. Mrs. Ivey added that she is currently scheduling interviews for the vacant Street Department position as well as the vacant Customer Service Representative position in Administration.
5. Planning and Zoning – Mr. Justin Whiteside thanked the Ocean Isle Beach Land Conservancy for their help in repairing and reinstalling the KIWI Shades at the park beside the Museum. Mr. Whiteside stated that the Town hopes to receive information regarding the approval of the CAMA Land Use Plan Grant within the next couple of weeks. Mr. Whiteside announced that the Maintenance Department hired a new part-time staff member, Mr. Ronnie Mitchell, to assist Mr. Kevin Masser. Mr. Whiteside stated that the Maintenance Department was currently working on a project to rebuild the Oxford Street access. Mr. Whiteside reported that the new Town Website was launched on April 11<sup>th</sup> and encouraged residents to sign up for automatic email alerts.
6. Building Inspections – Mr. Whiteside reported permits had been issued for five (5) new single-family residential homes in the Town limits and three (3) new single family residential homes in the ETJ. Mr. Whiteside reported a total of 156 permits with a construction valuation of \$3,342,168.00 were issued during the month of March 2016.

### **COMMENTS**

Tony Tatone – Commented that the roundabout on NC 179 going into Shallotte is too narrow for large trucks to navigate without running their tires up onto the concrete curbing. Ms. Tatone suggested reducing the size of the concrete curbing on the future roundabout project at the intersection of NC 904/NC 179/SR 1184 if it is going to be similar in design. Mayor Smith commented that the concrete pad inside the roundabouts are designed by NCDOT engineers to allow trucks to run over them if necessary.

David Martin – 248 East First Street – Mr. Martin commented that the Town continue to explore avenues to acquire the parcel of property at the corner of Causeway Drive and East 2<sup>nd</sup> Street for the future benefit of the Town, residents, and visitors.

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

## **Board of Commissioners Meeting (Cont.)**

**April 12, 2016**

**Page 4**

### **OLD BUSINESS**

1. Mayor Smith stated the first item of old business was the Discussion of Adoption of an Ordinance to Extend the Corporate Limits of the Town of Ocean Isle Beach by Voluntary Contiguous Annexation of Parcel #243LE010 per request by Mr. Jamie Milliken of Milliken Properties Limited Partnership. Mrs. Ivey commented that the Ordinance had been reviewed by the Town Attorney and the required Public Hearing was held earlier in the morning. Mrs. Ivey noted that no comment was heard from the public objecting to the approval of the Contiguous Annexation. Mayor Pro Tem Walters made a motion to approve the Ordinance which received a second from Commissioner Rowell. The Board voted unanimously to approve the motion.
2. Mayor Smith stated the second item of old business was the Discussion and Adoption of the Southeastern NC Regional Hazard Mitigation Plan. Mr. Whiteside stated that the Regional Hazard Mitigation Plan has received preliminary approval by FEMA and includes Brunswick, Pender, and New Hanover Counties. Mr. Whiteside explained that all municipalities within these counties have to adopt the plan before FEMA will give final approval. Mr. Whiteside stated that all municipalities in Brunswick County have adopted the plan thus far and a public hearing was recently held by the county, as required. Mayor Smith commented that hazard mitigation previously was handled on a municipal or county level, but is a more logically approached as a regional plan. Commissioner Rowell made a motion to approve a resolution to adopt the Southeastern NC Regional Hazard Mitigation Plan. The motion received a second from Commissioner Williams. The vote was unanimous.
3. Mayor Smith stated that the third item of old business was the Discussion and Approval of Cash Deposit Reduction – Bonding for Waterway Cove Phase 3 – Section 1. Mr. Whiteside explained that Waterway Cove Partners, LLC is requesting a reduction of cash guarantee for the site improvements in Phase 3 – Section 1 of Waterway Cove based on revised engineer's estimate of remaining improvements. The Town received a cash deposit in the amount of \$89,873.00 at the time of final plat approval in March 2016. Mr. Whiteside continued that the amount of cash deposit to be refunded was \$83,147.00 and the remaining amount held by the Town will be \$6,727.00. Mr. Whiteside explained that the remaining amount is equal to 1.25 times the opinion of probable cost for remaining improvements needed. Commissioner Williamson made a motion to approve the request which received a second from Commissioner Rowell. The Board voted unanimously to approve the motion.

## **Board of Commissioners Meeting (Cont.)**

**April 12, 2016**

**Page 5**

### **NEW BUSINESS**

1. Mayor Smith stated the first item of new business was the Discussion and Review of Contract for Professional Airport Engineering and Planning Services for the Odell Williamson Municipal Airport. Mrs. Ivey stated the Town's contract for airport engineering services is set to expire soon. Mrs. Ivey continued that Town staff has published a Request for Qualifications for Airport Engineers in the media as required and after reviewing responses, Town Staff recommends the 5-year contract be awarded to Talbert & Bright Engineering Firm. Mrs. Ivey added that Talbert & Bright is very knowledgeable about airport services in our region and has worked with the Town of Ocean Isle and surrounding areas on multiple projects throughout the years. Commissioner Rowell made a motion to approve the contract and the motion received a second from Commissioner Williams. The vote was unanimous.
2. Mayor Smith stated the next item of new business was the Discussion and Approval of a Resolution to Conduct Electronic Auction through GovDeals on Surplus Equipment. Mrs. Ivey stated that the Town has 3 high-mileage vehicles that are no longer in use and need to be sold through electronic auction via GovDeals. Mrs. Ivey listed the items as a 2006 Chevy Silverado Truck, 2005 Chevy Silverado Truck, and a 2010 Ford Explorer. A motion was made by Commissioner Rowell to approve the resolution. The motion received a second from Commissioner Williams and the vote was unanimous.
3. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – Concerts on the Coast Summer Concert Series. Mrs. Ivey noted that the Ocean Isle Property Owners Association is requesting approval of Group Activity Application to conduct the Concerts on the Coast Summer Concert Series between the hours of 6:30pm-8:00pm each Friday evening from May 27, 2016-September 9, 2016. Mrs. Ivey continued that OIPOA is requesting use of the vacant lot adjacent to the Museum for parking and waiver of fee due to non-profit status. Mayor Pro Tem Walters made a motion to approve the activity, use of vacant lot for parking, and waiver of fee. The motion received a second from Commissioner Rowell. The vote was unanimous.
4. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – Whitney Layne/Carolina Youth Leadership Academy Fundraising Concert. Mrs. Ivey stated that the Carol S. Petrea Youth Golf Foundation is requesting approval of Group Activity Application to conduct the Whitney Layne/Carolina Youth Leadership Academy Fundraising Concert between the hours of 2:00pm-5:00pm on Sunday, May 22, 2016 in the Museum of Coastal Carolina parking lot. Mrs. Ivey continued that the event sponsor is requesting use of the vacant lot adjacent to the Museum for parking and waiver of fee due to non-profit status. Mayor Smith gave accolades to the Carolina Youth Leadership Academy (First

## Board of Commissioners Meeting (Cont.)

April 12, 2016

Page 6

- Tee) for the work they do to teach “life and leadership skills” to the youth in Brunswick County. Commissioner Rowell made a motion to approve the activity, use of vacant lot for parking, and waiver of fee. The motion received a second from Commissioner Williams. The vote was unanimous.
5. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – 2016 July 4th Parade. Mrs. Ivey noted the Ocean Isle Property Owners Association is requesting approval of Group Activity Application to conduct the 2016 July 4th Parade between the hours of 9:15am-12:00pm on Monday, July 4, 2016 and beginning in the Museum of Coastal Carolina parking lot. Mrs. Ivey continued that the event sponsor is requesting use of the vacant lot adjacent to the Museum for parking and waiver of fee due to non-profit status. Mrs. Ivey stated that event sponsors will need to acquire a Special Events Permit from the NCDOT prior to the event and provide proof of permit to the Town. Mayor Pro Tem Walters made a motion to approve the activity, use of vacant lot for parking, and waiver of fee due to non-profit status and contingent upon proof of permit from NCDOT. The motion received a second from Commissioner Rowell. The vote was unanimous.
  6. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – 2016 Trash Bash. Mrs. Ivey noted that the Ocean Isle Property Owners Association is requesting approval of Group Activity Application to conduct the island-wide 2016 Trash Bash between the hours of 8:00am-12:00pm on Saturday, September 24, 2016. Mrs. Ivey continued that the OIPOA is requesting use of the vacant lot adjacent to the Museum for parking and waiver of fee due to non-profit status. Commissioner Rowell made a motion to approve the activity, use of vacant lot for parking, and waiver of fee. The motion received a second from Mayor Pro Tem Walters. The vote was unanimous.
  7. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – Super Saturday Christmas Parade and Santa Visit. Mrs. Ivey noted the Ocean Isle Property Owners Association is requesting approval of Group Activity Application to conduct the 2016 Super Saturday Christmas Parade and Santa Visit between the hours of 1:00-3:00pm (Parade) and 4:30-7:00pm (Santa Visit) on Saturday, November 26, 2016. Ocean Isle Property Owners Association is requesting use of the vacant lot adjacent to the Museum for parking and OIBFD for Santa visit. OIPOA is requesting waiver of fee due to non-profit status. Mrs. Ivey continued that the event sponsor is requesting use of the vacant lot adjacent to the Museum for parking during parade, use of OIBFD for Santa Visit, and waiver of fee due to non-profit status. Mrs. Ivey stated that event sponsors will need to acquire a Special Events Permit from the NCDOT prior to the event and provide proof of permit to the Town. Commissioner Rowell made a motion to approve the activity, use of vacant lot, use of OIBFD, and waiver of fee due to non-profit status - contingent

## Board of Commissioners Meeting (Cont.)

April 12, 2016

Page 7

- upon proof of permit from NCDOT. The motion received a second from Commissioner Williams. The vote was unanimous.
8. Mayor Smith stated the next item of new business was the Discussion and Approval of Request for Group Activity – Annual Christmas Tree Lighting and Caroling. Mrs. Ivey noted that the Ocean Isle Property Owners Association is requesting approval of Group Activity Application to conduct the Annual Christmas Tree Lighting (across from OIBFD) and Caroling between the hours of 5:00-5:30pm on Friday, November 25, 2016. Mrs. Ivey continued that OIPOA is requesting use of Town leased property where the Christmas Tree is located and the waiver of fee due to non-profit status. Commissioner Rowell made a motion to approve the activity, use of Town leased property, and waiver of fee. The motion received a second from Commissioner Williamson. The vote was unanimous.
  9. Mayor Smith introduced the next item of new business as the Discussion and Adoption of Resolution for Support of Funding for NCDOT Roundabout Project at Intersection of NC 904/NC 179/SR 1184. Mrs. Ivey explained that NCDOT has requested a resolution stating the support of funding for a cooperative agreement between the Town and NCDOT for construction of the new roundabout. Mayor Smith elaborated that the majority of funding will come from Highway Safety Funds and TIP program allocations. Mrs. Ivey continued that the Town has previously entered into an agreement with NCDOT to contribute funds up to \$250,000.00, and proposed these funds be taken from Powell Bill and Accommodation Taxes. Commissioner Rowell inquired if the Town has received an estimated start date for construction. Mrs. Ivey stated that NCDOT is estimating 2 years before construction will begin. Mayor Smith elaborated that all construction will occur between Labor Day and May 1<sup>st</sup> of said year to avoid summer traffic congestion. Commissioner Rowell made a motion to approve the resolution and received a second from Commissioner Williamson. The vote was unanimous.
  10. Mayor Smith introduced the final item of new business as Discussion to Fill Seat Vacancy on Ocean Isle Beach Board of Commissioners. Mayor Smith stated that Commissioner D.B. Grantham had to resign from his position on the Board due to a recent move to a new address outside the Town limits. Commissioner Williamson recommended the appointment of previous Board member and Ocean Isle Beach resident, Mrs. Carolyn Blythe, to fill the remainder of Commissioner Grantham's unexpired term. Mayor Pro Tem Walters commented that Mrs. Blythe is very up to date on the issues concerning the Town and rarely misses a public meeting. Commissioner Rowell stated that Mrs. Blythe is more than qualified to fill the vacancy. Commissioner Williams stated that he was in complete agreement with Commissioner Rowell's comment. Commissioner Williamson made a motion to appoint Mrs. Carolyn Blythe to fill the vacant seat of Commissioner D.B. Grantham

**Board of Commissioners Meeting (Cont.)**

**April 12, 2016**

**Page 8**

pending her acceptance. Commissioner Williams seconded the motion and the vote was unanimous. Mrs. Blythe accepted the appointment to the Board.

**EXECUTIVE SESSION**

The Board recessed to executive session upon approval of a motion by Commissioner Williamson, seconded by Commissioner Rowell. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve minutes of the March 8, 2016 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 Town Attorney, and to discuss the price and other material terms regarding the proposed acquisition of real property owned by the Williamson Family and adjacent to public beach accesses per G.S.143.318.11 (5)

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 March 8, 2016 Executive Session upon a motion of Mayor Pro Tem Walters with a second by Commissioner Rowell. Mayor Smith stated during Executive Session the Board discussed legal matters with Town’s Attorney involving Jackson/Hill Aviation, the condemnation proceedings, and the price and other material terms regarding the proposed acquisition of real property owned by the Williamson Family. After further discussion in open session upon a motion of Commissioner Williams with a second by Commissioner Rowell, the Board voted unanimously to enter into an agreement to purchase the ~~50ft~~45ft right-of-ways for Monroe, Concord, Newport, Raeford, Leland, Goldsboro, Chadbourn, Winnabow, Greensboro, and Shelby streets from the owners thereof for a sum of \$500,000.

**RECESS TO RECONVENE**

Being no additional business was heard, Mayor Pro Tem Walters made a motion to recess to reconvene for a budget workshop on May 2<sup>nd</sup>, 2016 at 9:00am. Upon a second from Commissioner Williamson, the vote was unanimous in approval

**DATED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Debbie S. Smith, Mayor

(SEAL)

**ATTEST:** \_\_\_\_\_

Casey E. Reeves, Town Clerk