

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

**BOARD OF COMMISSIONERS MEETING  
September 13, 2016  
MINUTES**

**MEMBERS PRESENT:**

Mayor Debbie Smith  
Commissioner Betty Williamson  
Commissioner Wayne Rowell  
Daisy Ivey, Town Administrator  
Bobby Hardy, Public Utilities Dir.

Mayor Pro Tem Dean Walters  
Commissioner Bob Williams  
Commissioner Carolyn Blythe  
Mike Isenberg, Town Attorney

**MEMBERS ABSENT:**

Justin Whiteside, Asst. Town Administrator

**OTHERS PRESENT:**

Approximately 25 Property Owners and Guests  
Brian Slattery, Brunswick Beacon  
Jessica Swencki – Brunswick County School Board Representative  
Christa Bericunas – Coastal Carolina Clean-up Event Host

**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 the August 9, 2016 Public Hearing and Board of Commissioners Meetings
- Approval of Budget Amendment #1 to Account for Donation for Purchase of Beach Wheelchairs
- Approval of Resolution Regarding Method of Enrollment for Retirees in State Employees Comprehensive Major Medical Plan and of Policy Regarding Coverage for Retired Employees

Upon a motion by Commissioner Williamson with a second from Commissioner Blythe, the consent agenda was unanimously approved.

**ADOPTION OF AGENDA**

The agenda was approved upon a motion of Commissioner Rowell with a second by Commissioner Williams. The vote was unanimous.

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### **REPORTS BY MAYOR**

Mayor Smith presented Commissioner Betty Williamson with certificates acknowledging Intracoastal Realty and Williamson Realty for their donation of a beach wheelchair in Memory of Derrick Williamson. Mayor Smith recognized the donation of five (5) beach wheelchairs from the R.L. Horton Jr. Family. Mayor Smith reminded the public that September 17<sup>th</sup> is "Thank a Police Officer" Day and commended the Ocean Isle Beach Police Department for their hard work and dedication to keeping the residents and visitors of the Town of Ocean Isle Beach safe.

### **SPECIAL REPORTS**

School Board Representative, Jessica Swencki, shared a brief educational video asking Brunswick County taxpayers to approve a \$152 million dollar school bond on the November 8, 2016 ballot. Mrs. Swencki provided an opportunity for questions after the video presentation.

### **DEPARTMENTAL REPORTS**

1. Administration – Mrs. Ivey stated that cash and investments exceeded amounts reported during the same period in 2015 and YTD annual expenditures from the General Fund were at 9.57% compared to 11.41% at the same time last year. Mrs. Ivey stated as of August 2016 the tax collection rate was at 96.72% with approximately \$100,735.85 in outstanding collections for 2015 and \$705.30 outstanding for 2012-2014. Mrs. Ivey noted Accommodation Tax revenues were up 5.25% for the month of July, with VRBOs up by 16.72%. Mrs. Ivey announced the AIWW maintenance dredging contract was awarded to Southwind Construction on August 23, 2016 and included maintenance dredging of the Shallotte Inlet crossing with dredged material to be placed at the east end of Ocean Isle Beach. Mrs. Ivey noted the earliest construction can begin is November 16, 2016. Mrs. Ivey stated the Town has received notification, as expected, from the Department of Coastal Management requesting an additional 75 days to continue their review of the Town's terminal groin application. Mrs. Ivey continued that the Town anticipates receipt of permit decision from DCM by November 7, 2016. Mrs. Ivey stated the North Carolina Division of Water Resources granted the Town the required 401 Water Quality Certification with conditions and explained that the conditions were typical. Mrs. Ivey announced the Town received a letter from the Division of Energy, Mineral, and Land Resources stating that the proposed terminal groin project will not have any threats to surface water quality from stormwater runoff and therefore the project will not be subject to stormwater management permitting. Mrs. Ivey noted that the Town would meet with NCDOT later in the day to discuss landscaping of roundabout on Old Georgetown Road and stated the County has agreed to supply \$1,000.00 towards the beautification project. Mrs. Ivey concluded with an announcement of a community meeting regarding the dredging of Jink's Creek in Sunset Beach to be held on October 8 at 10:00am at the Sea Trail Jones/Byrd Clubhouse. Mrs. Ivey noted the project was in the design phase and current estimates show only 150,000 cubic yards of material being removed.

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2. Police Department – Chief Ken Bellamy stated that incidents requiring investigation were down 36% over the same time period last year and arrests were up 60%. Chief Bellamy noted that breaking and entering incidents were down 33% and larceny incidents were down 25%. Chief Bellamy noted an increase in citations (72%) and a decrease in accidents (87%) over the same time period in 2015. Chief Bellamy reported total call volume has decreased 1% and stated the department’s annual In-Service Training was currently in progress. Chief Bellamy continued that officer training is scheduled with North Carolina Harm Reduction Coalition (NCHRC). Chief Bellamy explained that NCHRC is a national naloxone (Narcan) access advocacy leader which helps prepare law enforcement officers to assist in the prevention of drug overdose related deaths.
3. Fire Department – Chief Yoho reported during the month of August the Department completed 15 inspections and received a total of 106 calls which was an increase of 34% over the same time period last year with a yearly total of 588 calls for 2016 thus far. Chief Yoho commented that the Grant process for funding of a new ladder truck has closed and the Town was not selected as a recipient this year. Chief Yoho stated the department completed 350 hours of training during the month of August.
4. Public Utilities – Mr. Bobby Hardy reported that the Public Utilities Department installed 8 new taps, repaired 4 pumps, performed regularly scheduled inspections, re-reads, and hook-ups. Mr. Hardy stated that the department was preparing to start flushing lines with a new flushing system designed to prevent washouts on personal property. Mr. Hardy reported the members of the Sewer Department completed 6 hours of continuing education at the Brunswick County complex during the previous month. Mrs. Ivey commented on how well Mr. Hardy and the Public Utilities Department handled the issues caused by the 7.5 inches of rainfall during Tropical Storm Hermine. Mr. Hardy stated that the Street Department performed scheduled landscaping activities in addition to installing a new pump in the fountain, spraying for mosquitos, patching potholes, and installing mile-marker signs. Mr. Hardy noted the Street Department, in conjunction with the Fire Department, collected over 65 bags of garbage/litter from the sides of Ocean Isle Beach Road between Ocean Isle Beach intersection and the roundabout at Old Georgetown Road.
5. Planning and Inspections – Mr. Dycus announced that a NAPA Auto Parts store will soon occupy the commercial unit at 6709 Beach Drive beside Jimmy’s Marine. Mr. Dycus stated the Town is currently discussing options for conducting a quarterly roadside trash pick-up on Ocean Isle Beach Road between Ocean Isle Beach intersection and the OGTR Roundabout.
6. Building Inspections – Mr. Dycus reported permits had been issued for 2 new single-family residential homes in the Town limits and 8 new homes in the ETJ during the month of August. Mr. Dycus reported a total of 133 permits were issued with a construction valuation of \$3,571,115.84 – an 18% increase over totals reported in August 2015.

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**COMMENTS**

Bob Mayhew – 24 Dare Street – Mr. Mayhew inquired why the *Coastal Carolina Clean-up* group activity and the *OIB Trash Bash* group activity could not be combined into a single event. Mayor Smith stated that each event targeted a different portion of the island with the Coastal Carolina Clean-up focusing on the beach strand and waterways while the OIB Trash Bash focused on the remaining portions of the island.

Janie Withers – Scotland Street – Mrs. Withers commended the 2015 Coffee with a Cop program and suggested the Town host a similar event in 2016. Chief Bellamy commented that the Police Department was in the process of planning a similar type of event in October.

David Martin – 248 East First Street – Mr. Martin commented that trash cans were not being pulled back underneath houses by residents/renters once they were emptied. Mrs. Ivey stated that the Town would send out a reminder to all Realty companies and post information on all media outlets asking for island-wide cooperation in returning polycarts back underneath homes as soon as possible once emptied.

Todd Robertson – 241 West Second Street – Mr. Robertson reiterated Mr. Martin's concerns regarding polycarts.

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

**OLD BUSINESS**

1. Mayor Smith stated the first item of new business was the Discussion and Approval of Public Hearing Issue Regarding Text Amendment to Town Zoning Ordinance - Section 66-281(m) regarding regulations of personal watercraft less than 15ft in length. Mrs. Ivey stated that the matter was presented during a Public Hearing conducted prior to the current BOC meeting (8:45am, September 13, 2016). The Board briefly discussed proposed amendment and a motion was made by Mayor Pro Tem Walters to approve the proposed amendment which received a second from Commissioner Rowell. The vote was unanimous.
2. Mayor Smith stated the second item of old business was the Discussion and Review of Zoning Application for abandoned property at 6700 Appletree Street - Parcel ID#243OH001 to C-3 (Commercial Highway District). Mrs. Ivey stated that during the July meeting the Planning Board recommended approval and matter was presented during a Public Hearing conducted prior to the current BOC meeting (8:45am, September 13, 2016). A motion was made by Commissioner Rowell to approve the proposed amendment which received a second from Commissioner Williams. The vote was unanimous.

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3. Mayor Smith stated the next item of old business was the Discussion and Approval of Revisions to Contract between Waste Industries and Town of Ocean Isle Beach. Mrs. Ivey stated that during the August Board Meeting, the Board discussed possible revisions to the Waste Industries contract specifically as it relates to curbside recycling and yard debris. Mrs. Ivey explained that she and Mayor Smith met with Waste Industries to discuss these possible changes and provided a summary as follows:

- Beginning, January 1, 2017, the Town will provide for Curbside Island Wide Recycling. Each property owner will receive a cart designated specifically for recyclables. Curbside recycling will be collected bi-weekly on Mondays, with the exceptions of May-September, recyclables will be picked up weekly each Monday.
- The Recycling Container located behind Town Hall on Second Street for public use, will be closed and no longer available after December 30, 2016.
- The third summer pickup on Thursdays for household garbage will be deleted. Weekly pickups of household waste will continue throughout the year with a second pickup being added during specified times in May and September and the summer season of June-August. Household garbage will be collected on Monday and Saturdays during these specified times.
- Yard Debris will now be collected by Town staff. The rules and regulations regarding this process will remain the same however the dates may change. A new calendar will be mailed to each property owner in December indicating these new dates and processes.

Commissioner Williams noted his concern regarding the implementation of island-wide curbside recycling stating that it could compound the problem of polycarts being left by the roadside. A motion was made by Commissioner Rowell to move forward with the contract revision process to implement all proposed modifications. The motion received a second from Commissioner Williamson. The vote recorded as 4-1 with Commissioner Williams voting against the motion.

**NEW BUSINESS**

1. Mayor Smith announced the first item of new business was the Discussion and Review of a Proposed Text Amendment to Town Zoning Ordinance - Section 10-111 (Permits Required) - to be in compliance with S.L. 2016-113. Mrs. Ivey noted that staff recommends referring the item to the Planning Board for recommendation. Mayor Smith voiced her concerns about the potential safety hazards that could arise from the lack of required inspections on windows, decks, etc. Mayor Pro Tem Walters made a motion to send the issue to the Planning Board at 9:00am on September 27<sup>th</sup>, 2016 and to schedule a Public Hearing regarding the issue at 8:45am on October 11<sup>th</sup>, 2016. The motion received a second from Commissioner Blythe and the vote was unanimous.

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2. Mayor Smith announced the next item of new business was the Discussion Regarding Group Activity Application for Coastal Carolina Waterway/Beach Clean-Up. Mrs. Ivey stated event host, Christa Berciunas, is requesting approval of Group Activity Application to conduct the Coastal Carolina Waterway/Beach Clean-Up on October 29<sup>th</sup>, 2016 from 8am-1pm (Rain Date – October 30<sup>th</sup>, 2016). Mrs. Ivey noted the applicant is requesting waiver of permit fee (\$250) due to nature of event and no profits. Mrs. Ivey continued that applicant has requested for the Town to secure a roll-away dumpster to be placed behind Town Hall to collect the trash from the beach. Mrs. Ivey explained that all trash retrieved from the waterway will be collected at OIFC. Mrs. Berciunas stated she has received permission letter from Pelican's Perch for event sign-in and registration. Commissioner Rowell made a motion to approve the activity and all related requests. The motion received a second from Commissioner Williams and the vote was unanimous.
3. Mayor Smith announced the final item of new business as Discussion and Approval of Execution of Contract with East Coast Pyrotechnics, Inc. for Annual Fireworks Show on July 3<sup>rd</sup>, 2017 (Rain Date July 6<sup>th</sup>, 2017). Mrs. Ivey stated the contract was contingent on permission for use of pier from Williamson family and receipt of liability insurance from East Coast Pyrotechnics. Mrs. Ivey noted the event was hosted by the same company in July 2016 and received considerable praise from the community. Mrs. Ivey explained the event would once again be cost-shared with the Ocean Isle Property Owners Association (\$16,000 total cost divided equally between the Town and the OIPOA). Mayor Pro Tem Walters made a motion to approve the event with stated contingencies. The motion received a second from Commissioner Williamson and the vote was unanimous.

**EXECUTIVE SESSION**

The Board recessed to executive session upon approval of a motion by Commissioner Williamson, seconded by Mayor Pro Tem Walters. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve minutes of the August 9, 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.

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 August 9<sup>th</sup>, 2016 Executive Session upon a motion of Commissioner Rowell with a second by Commissioner Blythe. Mayor Smith stated during Executive Session the Board discussed legal matters with Town's Attorney involving Jackson/Hill Aviation and the condemnation proceedings. The Board voted unanimously to approve a settlement agreement between the Town and OIP Beach, NC, LLC upon a motion of Commissioner Rowell with a second by Commissioner Williams. Mayor Smith stated this settlement agreement spells our terms for possible settlement of this case.

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**ADJOURN**

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

**DATED:** 10/11/16

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

(SEAL)

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

