

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

**BOARD OF COMMISSIONERS MEETING  
October 11, 2016  
MINUTES**

**MEMBERS PRESENT:**

Mayor Debbie Smith	Mayor Pro Tem Dean Walters
Commissioner Betty Williamson	Commissioner Bob Williams
Commissioner Wayne Rowell	Commissioner Carolyn Blythe
Daisy Ivey, Town Administrator	Mike Isenberg, Town Attorney
Casey E. Reeves, Town Clerk	Bobby Hardy, Public Utilities Dir.
Justin Whiteside, Asst. Town Administrator	Ken Bellamy, Chief of Police
Robert Yoho, Chief of Fire Department	

**OTHERS PRESENT:**

Approximately 25 Property Owners and Guests  
Brian Slattery, Brunswick Beacon  
Robert Tucker – East Coast Engineering  
Alan Lewis – East Coast Engineering  
Shannon Viera – Brunswick County Chamber of Commerce

**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 September 12, 2016 Open Forum Meeting
- Minutes of the September 13, 2016 Public Hearing and Board of Commissioners Meetings
- Approval of Budget Amendment #2 to Account for Donation for Purchase of Beach Wheelchair
- Approval of Fourth Amendment to Water Tower Lease Agreement – New Cingular Wireless PCS, LLC – Equipment Modification

Upon a motion by Commissioner Williamson with a second from Commissioner Rowell, 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 recognized employee, Robert G. Becker (Sewer Dept.), for 10 years of dedicated service to the Town of Ocean Isle Beach. Mayor Smith recognized the numerous volunteers and vendors who participated in the Summer Scavenger Hunt Series Program. Mayor Smith presented Certificates of Appreciation to: Ida Moon, Gayle Hughes, Ocean Isle Beach Museum Foundation, Flamingo Row, Splash Beachwear, Beach Life, Ocean Isle Fishing Center, Sheffield's Seafood and Grocery, Drift Coffee, Ocean Isle Pier, Sloane Realty, McClure Realty, Cooke Realty, Resort Brokerage, Williamson Realty, Jessie & Myers Construction, Ocean Isle Beach Police Department, Ocean Isle Beach Fire Department, Ocean Isle Beach Town Hall, Carol Kauffman, Adrienne Thomas, Jan Fillette, & Susan Dearborn. Mayor Smith announced that Ocean Isle Beach had received the North Carolina Coastal Resources Commission Pelican Award as one of 31 local governments who passed resolutions against offshore oil and gas drilling.

Mayor Smith extended her gratitude to Town Staff (Police Dept., Fire Dept., Sewer Dept., Street Dept., & Administration Dept.) for their efforts to keep the Town of Ocean Isle Beach safe and secure during Hurricane Matthew. Mayor Smith noted the extra hours incurred by Town Staff in preparation of the storm, during the actual hurricane, and the ongoing damage assessment, repair, and restoration period. Mayor Smith offered special thanks to Public Utilities Director, Bobby Hardy for his dedication to keep all utilities running as effectively as possible despite incurring an injury during the storm. Mayor Smith also commended Town Administrator - Daisy Ivey, Assistant Administrator - Justin Whiteside, Chief of Police - Ken Bellamy, and Fire Chief - Robert Yoho for their tireless efforts to keep residents safe throughout the weather event.

### **DEPARTMENTAL REPORTS**

1. Administration – Mrs. Ivey stated according to Army Corps of Engineers it is anticipated the contractor will be dredging the AIWW at Shallotte River Inlet Crossing sometime in late March to early April 2017 with placement of dredged material on Ocean Isle Beach. Mrs. Ivey commented the Town hopes to have a draft version of the Record of Decision in hand regarding the Terminal Groin by mid-September and it is the Town's understanding progress is being made with CAMA. Mrs. Ivey announced that she had met with representatives from the Brunswick County Chamber of Commerce and the Oyster Festival will still be held on the island the weekend of October 15-16, 2016. Mrs. Ivey stated that the community was glad the annual festival was not cancelled and thanked the OIB Police Department, in advance, for their preparations towards this busy festival weekend. Mrs. Ivey noted the Corps released a Public Notice on October 4 in regards to the Rehabilitation Assistance for Federal project due to Hurricane Matthew. Mrs. Ivey explained the Town will need to submit a written request which includes: name of project, location of damaged sections, available damage assessment (ex. photos, surveys, and other documentation) in order to

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qualify. Mrs. Ivey stated she had spoken with CPE regarding assistance compiling the required analysis and relevant data in order to ensure the best possible outcome of receiving federal assistance from this program. Mrs. Ivey noted the cost of hiring CPE to facilitate this process was estimated between \$1-5,000 and encouraged the Board to consider this expenditure. It was the consensus of the Board to do so. Mrs. Ivey stated the tax collection rate was at 97.07% with approximately \$90,787 in outstanding collections for 2015 and \$705.92 outstanding for 2012-2014. Mrs. Ivey stated the current collection rate for 2016 taxes was .65%. Mrs. Ivey announced that the "Coffee with a Cop" event was cancelled on Monday October 10 due to Hurricane Matthew and will be rescheduled.

Mrs. Ivey stated she would like to extend her sincere appreciation to Town staff for an outstanding job throughout Hurricane Matthew and that she wished to share a slideshow presentation of photos taken during and after the storm to illustrate the intensity of the conditions the island faced over the weekend. Mrs. Ivey noted the Town has been dealing with Hurricane Matthew related issues since Tuesday, October 4 when the island started storm preparation processes and conference calls with County EMS officials. Mrs. Ivey commented that numerous employees were on hand from Friday evening until Sunday night monitoring the storm. Mrs. Ivey noted these employees were away from their families and homes keeping our residents and island protected and dealing with the events that took place throughout the duration of the storm. Mrs. Ivey thanked Shallotte Police Department and Gaston County Police Department for offering their assistance post storm. Mrs. Ivey commented that this was a "perfect storm" of sorts which included powerful winds, major flooding, loss of power and communications, scattered cell/data capabilities, broken county sewer force main, and a collapsed portion of road. Mrs. Ivey stated one of the many challenges resulting from the storm was a restart of our sewer and water systems. Mrs. Ivey continued that a voluntary evacuation was declared and the storm hit and moved from our area on Sunday. Mrs. Ivey noted that within a matter of 16 hours, Town Staff - along with County Public Utility workers and BEMC crews - had overcome these adversities and granted re-entry to our property owners. Mrs. Ivey emphasized that their dedication and efforts not go unnoticed and invited the public and Board of Commissioners to join her in thanking the Ocean Isle Beach Staff for an outstanding job. Mrs. Ivey informed the public that an extra trash pick-up day was being scheduled for Thursday to accommodate homeowners who would be coming down throughout the week to check on their properties and added that the Town would be executing their existing debris management contract and informing the public of pick-up times and regulations once they become available.

2. Police Department – Chief Ken Bellamy stated that incidents requiring investigation were down 38% over the same time period last year and arrests were up 28%. Chief Bellamy stated no accidents had been reported and noted a decrease in citations (25%). Chief Bellamy noted that the Department had remained consistently busy over the past week preparing for and managing the effects of Hurricane Matthew. Chief Bellamy stated his

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- officers were finally getting some rest and were in the process of cleaning and reorganizing equipment post storm.
3. Fire Department – Chief Yoho reported during the month of September the Department completed 28 inspections and received a total of 66 (41 calls within the town limits and 25 calls in the county) which was a decrease of 27.5% over the same time period in 2015. Chief Yoho remarked that the Department had received a total of 654 calls during 2016 which was a 2% increase over the previous year.
  4. Public Utilities – Mr. Bobby Hardy reported that the Public Utilities Department installed 5 new taps, flushed hydrants, and performed normal locates. Mr. Hardy stated that the Department had covered all catch basins with a catch cloth material prior to the arrival of Hurricane Matthew, which prevented an enormous amount of debris from clogging the basins and potentially exacerbating flooding issues. Mr. Hardy noted that lift stations and storm drains were cleaned prior to the storm and reported 2.56 million gallons of water were pumped over the course of Saturday and Sunday (Oct. 8 & 9). Mr. Hardy clarified that the normal volume of water transported in a single day this time of year as 300,000 gallons. Mrs. Ivey commented on how well Mr. Hardy and the Public Utilities Department handled the issues caused by the immense rainfall during Hurricane Matthew. Mr. Hardy stated that the Street Department performed scheduled landscaping activities in addition to preparing for the arrival of Hurricane Matthew by removing flags and banners, securing polycarts, removing yard debris, pulling up RPZ covers, and numerous other preventative measures to ensure the safety of residents and property.
  5. Planning and Inspections – Mr. Whiteside announced that the Army Corps of Engineers issued a Public Notice on September 30<sup>th</sup> regarding a new shopping center development behind BB&T bank. Mr. Whiteside noted the period for public comment was September 30<sup>th</sup>-October 30<sup>th</sup>, 2016. Mr. Whiteside announced that the Town was in the process of implementing our Debris Management and Debris Monitoring contracts to address storm debris resulting from Hurricane Matthew. Mr. Whiteside stated that Town staff would notify the public of storm debris collection schedules once they were established. Mrs. Ivey announced there would potentially be a 2-week time period before Debris Management company would begin the process of collection to allow out-of-town property owners an opportunity to assess any damage to their homes and start the clean-up process. Mr. Whiteside noted the capability of the Debris Management company to sift and clean sand that was displaced during the storm so that the Town can reuse it to help rebuild damaged areas of dune systems. Mr. Whiteside noted the temporary closure of 4 public beach accesses (Durham St., Driftwood St., Beaufort St., and The Resort) that were damaged during the storm. Mr. Whiteside reported he had met with DCM on October 10<sup>th</sup> and discussed the possibility of emergency permits being issued for beach bulldozing. Mr. Whiteside encouraged anyone with questions to contact Town Hall for specific guidelines. Mr. Whiteside noted 16 buildings had been deemed unsafe as a result of storm damage assessment conducted by the Building Inspections department.
  6. Building Inspections – Mr. Dycus reported permits had been issued for 6 new single-family residential homes in the Town limits and 10 new homes in the ETJ during the month of September. Mr. Dycus reported a total of 99 permits were issued with a

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construction valuation of \$6,479,934 – a substantial increase over totals reported in September 2015.

**COMMENTS**

Shannon Viera – Brunswick County Chamber of Commerce – Mrs. Viera extended her gratitude to the Town and the Board of Commissioners for allowing the Oyster Festival to proceed as originally scheduled.

David Martin – 248 East First Street – Mr. Martin asked if the Town planned to push sand up on the beach to address storm damage issues to dunes. Mrs. Ivey stated that the Town will wait on results of Army Corps of Engineer survey before deciding on any course of action. Mrs. Ivey also noted the loss of all sea oats that were recently planted as a result of Hurricane Matthew.

Ida Moon – 92 East Second Street – Mrs. Moon expressed her amazement at the success of the 2016 Summer Scavenger Hunt Series and stated the Recreation Advisory Board and Town Staff had forecasted attendance volume to average 30 persons per week. Mrs. Moon announced that actual numbers exceed these estimates with most weeks averaging upwards of 70 participants. Mrs. Moon extended her gratitude to the Town and local businesses for working together to make the event such a success.

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 Review of Public Hearing Issue regarding Proposed Text Amendment to Town Zoning Ordinance - Section 10-111 (a) 1-6 - Permits Required to be in compliance with S.L. 2016-113. Mrs. Ivey stated that the matter was presented during a Public Hearing conducted prior to the current BOC meeting (8:45am, October 11, 2016). The Board briefly discussed proposed amendment and a motion was made by Commissioner Rowell to approve the proposed amendment which received a second from Commissioner Williams. The vote was unanimous.

**NEW BUSINESS**

1. Mayor Smith stated the first item of new business was Discussion Regarding Acquisition of New Ladder Truck for Fire Department and possible financing options. Mrs. Ivey stated that previous attempts to secure grant funding alternatives in 2014 and 2015 were unsuccessful. Mrs. Ivey noted that the Town was looking into the possibility of working with the Houston-Galveston Area Council Cooperative Purchasing Program to help obtain the most financially reasonable purchasing options. Mrs. Ivey explained that the

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HGAC-CPP assists local governments in reducing costs through government-to-government procurement services and assistance in bidding processes. Chief Yoho stated that the current ladder truck is a 1995 model with a maximum ladder extension of 70 ft. Chief Yoho continued that it is critical the department procure an apparatus with at least 100 ft extension capabilities in order to meet current needs based on property line setbacks. A motion was made by Commissioner Rowell to move forward with exploring and securing financing options for the acquisition of a new ladder truck for the Ocean Isle Beach Fire Department which received a second from Commissioner Blythe. The vote was unanimous.

2. Mayor Smith stated the next item of new business was the Discussion Regarding Group Activity Application for Beer & Brats Event. Mrs. Ivey stated that Ocean Isle Beach Museum Foundation is requesting approval of Group Activity Application to conduct the Beer & Brats Fundraising Event at the Museum of Coastal Carolina on November 25th, 2016 from 5pm-8pm. Mrs. Ivey stated the applicant is requesting waiver of permit fee due to non-profit status 501c (3) and has requested use of Town property adjacent to Museum for parking. Mrs. Ivey commented the applicant has applied for liability insurance and the required ABC permit and will provide verification of each prior to the event. Mrs. Ivey noted the event will coincide with OIPOA Annual Tree Lighting and Caroling event scheduled for November 25th, 2016 from 5-5:30pm. A motion was made by Mayor Pro Tem Walters to approve the event, and all requests, contingent upon receipt of liability insurance verification and required ABC permit. The motion received a second from Commissioner Rowell. The vote was unanimous.
3. Mayor Smith announced the final item of new business was Discussion Regarding Planning Board Recommendation and Review of Preliminary Plat for The Point at OIB. Mr. Whiteside stated that East Coast Engineering & Surveying, P.C. has submitted a Preliminary Plat for a development on the east end of the island and plans to subdivide out 13.66 acres of the total 66.77 acres for development. Mr. Whiteside continued that forty-five (45) lots are planned and 2.11 acres of open space are shown on preliminary plans. Mr. Whiteside stated the Planning Board recommended approval of the Preliminary Plat with the following conditions imposed:
  - Terminal groin easement to be notated on plat
  - Public access-ways to be constructed by developer
  - Any stormwater easements located within Residential Green Space should be notated to be underground
  - Town portion of Columbia Street to be paved by developer and the Town shall be listed as additional insured when construction is commenced
  - Place section in covenants allowing beach access easements over private property
  - All Residential Green Space shall be graded so residents can traverse
  - 1,000 gallon/per minute hydrant flow shall be shown with appropriate engineering
  - Remove water and sewer from maintenance requirements of covenants
  - Provide a copy of nationwide wetland fill permit

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Mr. Whiteside continued that the vegetation line shown on preliminary plat will need to be re-established due to the environmental impacts of Hurricane Matthew. Mayor Pro Tem Walters made a motion to approve the preliminary plat with conditions. The motion received a second from Commissioner Williams and the vote was unanimous.

**EXECUTIVE SESSION**

The Board recessed to executive session upon approval of a motion by Commissioner Williamson, seconded by Commissioner Blythe. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve minutes of the September 13<sup>th</sup>, 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 September 13<sup>th</sup>, 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 and the condemnation proceedings.

**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: 11-8-16



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

(SEAL)

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