

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

**BOARD OF COMMISSIONERS MEETING
October 13, 2015
MINUTES**

MEMBERS PRESENT:

Mayor Debbie Smith
Commissioner Betty Williamson
Commissioner D.B. Grantham
Daisy Ivey, Town Administrator
Larry Sellers, Asst. Town Administrator
Brian McMillan, Attorney

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

OTHERS PRESENT:

Approximately 20 Property Owners and Guest
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 the following items: Approval of minutes of September 8, 2015 Public Hearing/Board of Commissioners meeting and September 14, 2015 Open Forum Meeting, Approval of Contract with Carolina Staffing Solutions for Cleaning Services, Approval of Proclamation declaring October 31, 2015 as North Carolina "Breaking the Silence" on Domestic Violence Day and Approval of Amendment to Resolution No 2015-02 Regarding Burning Within the Town limits. Mrs. Ivey stated the Board had been supplied with changes recommended by the Town Attorney in regards to the cleaning contract and that these changes had been incorporated in the draft contract. The consent agenda was unanimously approved upon a motion of Commissioner Williamson with a second by Commissioner Walters.

ADOPTION OF AGENDA

The agenda was amended to include discussion regarding personnel under executive session and to delete discussion regarding approval of execution of contract with East Coast Pyrotechnics for annual Fireworks Show, upon a motion of Commissioner Rowell with a second by Commissioner Grantham. The vote was unanimous.

REPORTS BY MAYOR

Mayor Smith stated recently a meeting was held with the North Carolina Department of Transportation regarding the proposed roundabout. Mayor Smith stated the Division was trying to get this project elevated to a higher funding level and was looking at designing the roundabout for a 30 year life in lieu of 20. Mayor Smith reiterated this would probably delay

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construction until 2017 however that was a small price to pay for additional funding and a longer life span of the project. Mayor Smith also informed the Board the OGTR extension was scheduled to open later this month and the Department would be installing landscaping and lighting in the area within the next few months. Mayor Smith also reported that she and the Town Administrator had met with the entire North Myrtle Beach Town Board to discuss canal dredging and she felt they were very impressed with the program that had been initiated by the Town.

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 indicated that approximately \$336,000 was collected in taxes during the month of September and currently there is approximately \$1900 outstanding for 2012-14 taxes. Mrs. Ivey updated the Board in regards to the terminal groin indicating the financial assurances offered by the Town had been approved by the State and the Town was now waiting for CAMA to declare the application package complete so the engineers could release the final EIS.
2. Police Department – Chief Bellamy stated the department was up 2.5% in total calls and 15% in arrest. Chief Bellamy stated mandatory training for the year would be completed this month and the department had also completed 120 hours of non-mandatory training.
3. Water, Sewer and Streets – Mr. Sellers reported routine maintenance work occurred in the water, sewer and street departments and preparation was performed in anticipation of Hurricane Joaquin. Mr. Sellers reported the Town received on average 18 inches of rain however the staff did a great job in pumping the streets and controlling overflow from sewer lift stations. Mayor Smith expressed her appreciation to staff for their dedication in working around the clock during this hurricane.
4. Fire Department – Chief Yoho reported during the month of September the Department completed 450 hours and two employees who completed the Rapid Intervention School which includes 50+ hours of instruction. Chief Yoho also stated 35 inspections were performed and the department responded to 91 calls, which was a 36% increase over the same period last year. Overall for the year the department has responded to 643 calls for service which is a 2% decrease in the first nine months of 2015.
5. Planning and Zoning – Mr. Justin Whiteside stated *no wake* signs had been erected in the canal and the Town had presented an official request to NC Wildlife for enforcement of no wake in the Town's canals. Mr. Whiteside also reported that a new procedure had been put in place by NCDOT regarding group activity applications. NCDOT is now requiring that applications be approved through their office if someone will be using State Roads as part of their event. Staff has updated the rules and regulations to incorporate this change. Mr. Whiteside also reported that

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a new procedure had been implemented regarding the use of beach wheelchairs. These chairs can now be reserved for up to a three day period in order to facilitate use after business hours.

6. Building Inspections – Mr. Dycus reported permits for two new single-family homes had been permitted in the Town, with four in the ETJ and a total of 94 permits with a construction valuation of \$2,762,235.

COMMENTS

No public comment was heard regarding any agenda item. Mayor Pro Tem Walters informed the audience that a luncheon would be held on October 21 beginning at noon in the Betty S. Williamson Meeting Hall and all property owners were invited to attend. Mayor Pro Tem Walters stated this event was being sponsored by the candidates running for re-election, Mayor Debbie Smith, Commissioner Betty Williamson, Commissioner Bob Williams and himself.

NEW BUSINESS

1. Mayor Smith stated the first item of new business was discussion and approval of request for Group Activity for the Beer and Brats. Daisy Ivey, Town Administrator stated the Ocean Isle Museum Foundation is requesting approval to conduct the Beer and Brats event on November 27, 2015. Mrs. Ivey informed the Board a request had been made to waive the application fee due to non-profit status of the Museum and for permission to use the Town's property adjacent to the Museum. Mrs. Ivey stated liability insurance has been applied for and shall be verified prior to the event. This request was unanimously approved upon a motion of Commissioner Walters with a second by Commissioner Rowell.
2. The next item for discussion was approval of Group Activity for Run OIB. Mrs. Ivey reported Coastal Race Productions is requesting approval of this event for October 2, 2016. Mrs. Ivey stated the permit fee of \$450 has been paid and permission letters from the Williamsons, OIB Pier and Pelican's Perch have also been provided. The applicant is also requesting permission to use the Town's property adjacent to the Museum for event setup. Mrs. Ivey stated the Police Department has confirmed with the organizer that the bridge will not be closed to vehicular traffic at any time during the event (one lane will remain open). Approval of the application will also be contingent on the applicant obtaining a special events permit from NCDOT prior to the event and providing copy of same to the Town. Mrs. Ivey stated the applicant will also need to provide a new liability insurance policy for use of Town property prior to the event. Mrs. Ivey reminded the Board also that Mayor Ron Watts of Sunset Beach had previously requested that the Town not approve any runs that may interfere with the runs and activities associated with Sunset at Sunset, which is held the first Saturday in October. Mrs. Ivey reported since this event will be held on Sunday, October 2, 2016 she did not foresee any issues. Upon a motion of

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Commissioner Rowell, with a second by Commissioner Williamson, the Board voted unanimously to approve this event contingent on items noted above.

3. Mayor Smith stated the next item of New Business was Discussion and Scheduling of Public Hearing regarding Planning Board recommendation for amendment to the Town's Zoning Ordinance Section 66-442 (Procedure for Amendment regarding citizens' comment). Mrs. Ivey stated the Planning is recommending approval of an amendment to Section 66-442 regulating procedures for amendment regarding citizens' comment. Mrs. Ivey reiterated that these changes would bring the ordinance in line and consistency with recent Statute changes and a public hearing would be necessary in order to hear public comment regarding this amendment. After a brief discussion, the Board voted to refer this matter to public hearing on November 10, 2015 beginning at 9:00 AM upon a motion of Commissioner Grantham and second by Commissioner Williamson. The vote was unanimous.
4. The next item of New Business was discussion regarding creating a new Town ordinance to regulate Filming in Ocean Isle Beach. Mrs. Ivey reported that the Town had been receiving numerous inquiries regarding filming in Ocean Isle Beach. Mrs. Ivey stated staff had surveyed other Towns and was providing a draft ordinance for review by the Board which would regulate these activities. After review and discussion the Board voted unanimously to adopt this new ordinance regulating filming in Ocean Isle Beach. This motion was made by Commissioner Rowell with a second by Commissioner Grantham.
5. Mayor Smith stated the next item was discussion regarding approval of contract for development of a new Town Website. Mrs. Ivey reported that the Town had received several request for proposals for the development of a new Town website and staff was recommending that a contract with Municipal CMS be approved to perform these services. Mrs. Ivey stated this firm specializes in the development and management of Municipal websites. The cost for development services and the first twelve months of hosting and technical support for this project will be \$7195. Mrs. Ivey reported subsequent years will be billed at \$1549 for license, hosting and technical support. Upon a motion of Commissioner Rowell with a second by Commissioner Williamson, the Board voted unanimously to approve this contract as recommended and submitted by staff.
6. Mayor Smith stated Commissioner Rowell had recently attended a meeting regarding Wind Energy offshore and she would like to recommend the Board amend the agenda at this time to hear an update from Commissioner Rowell on this matter and take possible action. Upon a motion of Commissioner Williamson with a second by Commissioner Walters, the Board voted to amend the agenda for this discussion. The vote was unanimous. Commissioner Rowell stated he attended a meeting of

BOEM (Bureau of Ocean Energy Management) Task force which he is now a member. Commissioner Rowell stated BOEM is now proposing to place these wind lease fields in three areas off the coast of North Carolina – Kitty Hawk, Wilmington East (Bald Head/Oak Island Area) and Wilmington West, which would affect our area of Ocean Isle/Sunset Beach. Commissioner Rowell stated Kitty Hawk had already taken a stand for a 25 mile view area so the wind turbines could not be seen from their shoreline. Commissioner Rowell stated these towers stand from 500-1000 ft. tall. Commissioner Rowell stated the Bald Head tower had been recommended to be placed 20 miles offshore and the one in our area 7-10 miles off the coastline. Commissioner Rowell stated studies have shown at this distance these towers would be visible 20-25% of the time depending on atmospheric conditions. Commissioner Rowell indicated he was for renewable energy however he felt if these could be seen from the horizon it could possibly affect tourism. Commissioner Rowell recommended that the Town adopt a similar resolution like the one supplied to the Board, opposing wind turbines being located seven to ten miles off the shoreline and within our view shed and requesting that they be placed at least twenty-five miles off the coast. It was also recommended that the resolution include that the Town be notified of any plans to install transmission lines from the wind turbines to existing infrastructure in Ocean Isle Beach. Upon a motion of Mayor Pro Tem Walters, with a second by Commissioner Rowell, staff was directed to prepare a resolution stating the above as recommended. The vote was unanimous.

7. Mayor Smith stated the last item on the agenda was discussion regarding a resolution in opposition of Offshore Oil Exploration. Mayor Smith stated several environmental organizations had requested the Board adopt such a resolution. Many coastal Towns have already passed similar resolutions. Mayor Smith reiterated that Mr. Randy Sturgill, Senior Organizer, Climate & Energy Campaign with Oceana, has indicated that 24 communities have passed similar resolutions in opposition including the communities of Holden Beach, Oak Island, Southport, Bald Head and Sunset Beach. Along the US East Coast 83 municipalities have taken a stand in opposition of drilling. Mayor Smith stated she thought everyone would agree that tourism was very important to the Town and our environment was also very important. Mayor Smith reiterated whatever we passed today was not our decision and clarified that these were federal lands being leased to private companies. Commissioner Walters stated the fact is that our number one priority is tourism but from everything he reads there is no regulations regarding spills and for that reason he would make a motion to adopt a similar resolution opposing this activity. This motion was seconded by Commissioner Rowell and the vote was unanimous.

EXECUTIVE SESSION

The Board recessed to executive session upon a motion of Commissioner Williamson, seconded by Commissioner Rowell, in order to approve the minutes of the September 8, 2015 Executive Session per GS 143-318.11(a)(1) to consult with the Town Attorney regarding pending legal issues (Jackson/Hill Aviation) as per GS 143-318.11(a)(3)e and to discuss personnel issues per GS 143.318.11 (6). The vote was unanimous. The Board returned to regular session upon a motion of Commissioner Williams with a second by Commissioner Rowell. Mayor Smith stated during executive session the Board adopted the minutes of the September 8, 2015 Executive Session upon a motion of Mayor Pro Tem Walters with a second by Commissioner Rowell. Mayor Smith stated the Board also discussed a legal matter with Town Attorneys involving Jackson/Hill Aviation as well as the condemnation proceedings. Mayor Smith stated the Board also discussed the qualifications of the candidate being considered for the position of Town Clerk. Upon a motion of Commissioner Rowell with a second by Commissioner Williamson, the Board voted unanimously to hire Casey Reeves to fill the vacant Town Clerk position. The vote was unanimous.

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: 11-10-15

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

(SEAL)



ATTEST: *Daisy Ivey*
Daisy Ivey, Town Administrator