

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

**BOARD OF COMMISSIONERS MEETING  
November 8, 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  
Landon Weaver – Bill Clark Homes  
Rick Moore - McKimm & Creed  
Chris Wilson & Susan Bradford – The Waterfront Markets, LLC

**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 October 11, 2016 Public Hearing Meeting
- Minutes of the October 11, 2016 Board of Commissioners Meeting

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

**ADOPTION OF AGENDA**

The agenda was amended to include New Business Item #9 – Review and Approval of Sandbag Installation Contract. The amended agenda was approved upon a motion of Commissioner Williamson with a second by Commissioner Rowell. The vote was unanimous.

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**REPORTS BY MAYOR**

Mayor Smith recognized the upcoming Veteran's Day observance on November 11<sup>th</sup>, 2016 and extended the Town's gratitude to all the men and women who have served, and are currently serving, in our Armed Forces. Mayor Smith informed the public that the Coastal Resource Commission has granted the CAMA permit for the Town of Ocean Isle Beach Terminal Groin project. Mayor Smith noted this was another positive step in the overall process required to begin construction.

**DEPARTMENTAL REPORTS**

1. Administration – Mrs. Ivey noted an overall increase in cash and investments and stated Ad Valorem revenues for the month of October show 15.19% compared to 4.7% over the same time last year. Mrs. Ivey stated 2016 Property Tax collections equal \$463,122 (or 14.85%) and outstanding taxes for 2012-2015 equal \$98,956. Mrs. Ivey announced the Division of Coastal Management (CAMA) permit decision for the Terminal Groin project was due on Monday, November 7, 2016. Mrs. Ivey continued the Town received notice at 5:00pm on Monday that the permit had been issued. Mrs. Ivey explained the final item will be the Record of Decision by the Army Corps of Engineers. Mrs. Ivey stated she spoke to Tyler Crumbly from the Corps and he expressed his hopes of having it off his desk by late December 2016. Mrs. Ivey noted Town Staff are encouraging the Corps to move forward because a November 2017 construction date is not far away. Mrs. Ivey explained the Town will be sending a formal letter to the Corps of Engineers requesting a decision as soon as possible.

Mrs. Ivey stated she had spoken with NCDOT regarding the status of the roundabout and was informed they plan to proceed with letting of bids for project in hopes of receiving good estimates. Mrs. Ivey stated NCDOT indicated the right-of-way portion of project will begin very soon. Mrs. Ivey noted on November 4<sup>th</sup> the Technical Coordinating Committee for Grand Strand Area Transportation Study (GSTAT) ranked the roundabout project at the highest possible score of 100 at both the Division and Regional level in hopes of securing additional funding. Mrs. Ivey stated this recommendation will now go to the Technical Advisory Committee.

Mrs. Ivey reported she and Mayor Smith will be attending the N.C. Beaches and Inlet Conference on November 14<sup>th</sup> & 15<sup>th</sup>, the Brunswick Shoreline Protection Meeting on November 17<sup>th</sup>, and the Coastal Resources Commission Hearing on November 30<sup>th</sup> & December 1<sup>st</sup>. Mrs. Ivey announced the Town contracted with CPE to assist with quantitative response for damage to dune system by Hurricane Matthew. Mrs. Ivey stated that a letter was sent requesting rehabilitative assistance to the Corps and the Corps had a survey conducted. Mrs. Ivey continued the Corps indicated it may be mid-December before the Town receives any news regarding a decision. Mrs. Ivey noted we are still waiting to see if Town will be declared for any other categories as a result of Hurricane Matthew. Mrs. Ivey reported storm debris clean-up has taken place and the

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Town has three (3) additional storm related contracts on the agenda for approval. Mrs. Ivey noted these three (3) items will only be reimbursable if the Town is declared for other categories. Mrs. Ivey announced Town Hall would be closed November 11<sup>th</sup> for Veterans Day and November 24<sup>th</sup> & 25<sup>th</sup> in observance of Thanksgiving. Mrs. Ivey listed the following upcoming events:

- Sunset Beach Dredging Meeting – November 12<sup>th</sup> from 10am-12pm
- Beer & Brats Fundraiser – November 25<sup>th</sup> from 5-8pm
- Annual Tree-Lighting and Caroling – November 25<sup>th</sup> from 5-5:30pm
- Ocean Isle POA Annual Meeting – November 26<sup>th</sup> from 9-11am
- Christmas Parade – November 26<sup>th</sup> at 2pm
- Santa Visit – November 26<sup>th</sup> at 5:30pm

2. Police Department – Chief Ken Bellamy stated that incidents requiring investigation were up 20% over the same time period last year and arrests were down 40%. Chief Bellamy stated no accidents had been reported and noted an increase in citations of 9%. Chief Bellamy noted a decrease in total call volume of 13.4% and stated that the Department completed 80 hours of training in the month of October.
3. Fire Department – Chief Yoho reported during the month of September the Department completed 17 inspections and had an increase in call volume of 6% over the same time period (January-present) in 2015 and up 55% for the month of October. Chief Yoho remarked that the Department completed 200 hours of training during the month of October.
4. Public Utilities – Mr. Bobby Hardy reported that the Public Utilities Department installed 7 new taps, performed normal locates, and cleaned meter boxes on E. 2<sup>nd</sup> and 3<sup>rd</sup> streets. Mr. Hardy stated that the Department removed filter cloths from storm drains, replaced 2 sewer pumps, installed a new duck bill at Union Street, and rebuilt control panel at Goldsboro Street. Mrs. Ivey commented on how well Mr. Hardy and the Public Utilities Department helped manage the storm debris removal prior to Debris Management contractors arriving post Hurricane Matthew. Mr. Hardy stated 7 dump-truck loads of debris (broken vinyl siding, nails, boards, etc.) were removed from the island in an effort to keep residents safe and streets open. Mr. Hardy commended the Street Department for their efforts to remove debris along the Causeway, as well as removing logs and lumber from the strand. Mr. Hardy stated the Street Department will begin putting up holiday decorations over the next few weeks in preparation for Super Saturday festivities on November 25<sup>th</sup> and 26<sup>th</sup>.
5. Planning and Inspections – Mr. Whiteside encouraged the public to complete the CAMA Land Use Plan Community Survey available on the Town website and included with the upcoming water bills. Mr. Whiteside informed the Board and members of the public that \$150,000 of TAP (Transportation Alternative Program) funds are available should the Town wish to apply. Mr. Whiteside explained that TAP provides funding for programs and projects defined as transportation alternatives, including pedestrian and bicycle facilities and community improvement activities. Mr. Whiteside noted that a resolution

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for a specific project idea (prior to the end of 2016) is needed in order to attempt to secure any grant funding. The Board expressed support for pursuing the research of a bike lane project to review at the December BOC meeting. Mr. Whiteside concluded with a reminder of the November 16<sup>th</sup> Grand Strand Area Transportation Study (GSTAT) meeting at Shallotte Town Hall.

6. Building Inspections – Mr. Dycus reported permits had been issued for 8 new single-family residential homes in the Town limits and 4 new homes in the ETJ during the month of October. Mr. Dycus reported a total of 95 permits were issued with a construction valuation of \$4,266,587. Mr. Dycus stated 2 new commercial permits were issued including a major interior renovation to Lowe's Foods and the construction of a new First Bank at the corner of Hale Beach Road and Beach Drive (contingent upon receipt of wetlands permit).

### **COMMENTS**

Janie Withers – 41 Scotland Street – Mrs. Withers expressed her gratitude to the Town of Ocean Isle Beach, OIPOA, OIB Police Department, and OIB Fire Department for courtesies extended and services rendered during Paws-ability's recent schedule modification for the Annual Bicycle Poker Run due to Hurricane Matthew.

Tony Tatone – 480 East Third Street - Ms. Tatone extended her thanks to the Board of Commissioners for all they do for the residents of Ocean Isle Beach throughout the year. Ms. Tatone read a letter voicing her dissatisfaction with the voluntary evacuation process during Hurricane Matthew and the speed in which property owners were allowed back on the island post-storm. Ms. Tatone expressed concern with the Town's communication to residents regarding time frames for re-entry and post-storm processes for property and utility repairs. Mayor Smith addressed Ms. Tatone's complaints regarding safe re-entry times for property owners noting the amount of debris littered across the island in addition to the lack of power and normal sewer function due to a break in the County's sewer main.

Peter McGuire – 30 Newport Street – Mr. McGuire thanked Town Staff for their help throughout Hurricane Matthew and expressed his appreciation for the level of frequent communication between the Town and residents when resources permitted. Mr. McGuire stated he was initially unclear on the Town's policy for filling sandbags for personal use post-storm, but was able to get an answer with the help of an OIB Police Officer. Mr. McGuire concluded with a statement expressing his support of the proposed Waterfront Market (New Business Item #4).

Bob Mayhew – 24 Dare Street – Mr. Mayhew stated the Town should consider moving the proposed Waterfront Market off of the island to avoid increased traffic congestion at the current proposed site location beside the Museum.

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David Martin – 248 E. First Street – Mr. Martin suggested the Board and Town Staff provide a more detailed explanation of the reasoning behind New Business Item #7 (*Proposed Text Amendment to Town Zoning Ordinance – Section 66-133 – Number of Spaces Required for Clubhouses*) before taking any action. Mrs. Ivey explained that no action would be taken today regarding amending the ordinance and noted the Board would only be sending the item to the Planning Board.

Frances Mayhew – 24 Dare Street – Mrs. Mayhew expressed her concern regarding the Run OIB Road Race held on October 2<sup>nd</sup>, 2016. Mrs. Mayhew stated that vehicular traffic and race participants were co-mingled which created traffic flow confusion and potential danger. Police Chief Bellamy and Mrs. Ivey stated the Town will be addressing these issues with event sponsors to improve organization for future events.

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

### NEW BUSINESS

1. Mayor Smith stated the first item of new business was the Discussion Regarding Planning Board Recommendation and Review of Sketch Plan for Phase 5 at The Retreat. The Board briefly discussed the sketch plan with Bill Clark Homes representative, Landon Weaver and McKimm & Creed representative, Rick Moore. A motion was made by Mayor Pro Tem Walters to send the item to the Planning Board for further review which received a second from Commissioner Rowell. The vote was unanimous.
2. Mayor Smith stated the next item of new business as the Discussion Regarding Appointment to an expired term on ABC Board. A motion was made by Mayor Pro Tem Walters to re-appoint Buddy Russell for another 3-year term. The motion received a second from Commissioner Williamson. The vote was unanimous.
3. Mayor Smith announced the third item of new business as the Discussion Regarding Group Activity Application for 2017 Run for Food. Mrs. Ivey stated that South Brunswick Interchurch Council is requesting approval of Group Activity Application to conduct the 13th Annual Ocean Isle Beach Bridge Run for Food Half Marathon and 5K Race on January 14<sup>th</sup>, 2017 from 6:30am – 1:30pm (Event time is 9am-12pm). Mrs. Ivey noted the applicant is requesting set up to begin at 6:30am (Ordinance permits 7:00am) and requesting waiver of permit fee (\$1,000) due to non-profit status. Mrs. Ivey explained that applicant is awaiting permission from Williamson Family for use of lot beside Town Hall for parking and has received permission from OIB Pier for parking. Mrs. Ivey noted the applicant will provide proof of permission from the Williamson Family once received. 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 with one (1) lane remaining open. Mrs. Ivey stated the applicant will need to obtain a NCDOT Special Events Permit prior to event and provide copy to the Town. Mrs. Ivey commented that musical entertainment is planned and reminded the Board that per Town Ordinance 22-71(b)(2), amplified music should not be played prior to 7:30am.

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A motion was made by Commissioner Rowell to approve the event, and waiver of permit fee, contingent upon the following items:

- Permission letter from Williamson family for parking (copy provided to Town)
- Acquisition of NCDOT Special Events Permit. (copy provided to Town)
- Restriction on any musical entertainment prior to 7:30am

The motion received a second from Commissioner Williams. The vote was 4-1 with Mayor Pro Tem Walters voting against the motion.

4. Mayor Smith announced the next item of new business as the Discussion and Approval of Group Activity Application for Waterfront Market at OIB. Mayor Smith stated the Waterfront Markets, LLC is requesting approval of Group Activity Application to conduct a weekly Artisan Market on Town owned vacant lot adjacent to Museum on Mondays (May-September) from 9:00am-2:00pm. After considerable discussion regarding the logistics of the event, Commissioner Rowell made a motion to table the item and direct Town Administrator to meet with the Museum, Town of Sunset Beach Staff, and organizers of Market to obtain additional information regarding this endeavor. The motion received a second from Commissioner Williamson and the vote was unanimous
5. Mayor Smith announced the next item of new business as the Discussion and Approval of Contract to Repair Sewer Line on Heron Court. Mr. Whiteside stated that the Town had completed the required bid process and recommended the Board award the contract to Hickman Utilities for repair of sewer line on Heron Court based on their pricing and experience. Mrs. Ivey stated the cost of the repair is \$9,000 and that it is too early to know if the Town will be reimbursed for this storm-related cost. Commissioner Rowell made a motion to approve the contract. The motion received a second from Commissioner Williamson and the vote was unanimous.
6. Mayor Smith announced the next item of new business as the Discussion and Approval of Contract to Repair/Rebuild a portion of East Third Street. Mr. Whiteside again stated that the Town had completed the required bid process and recommended the Board award the contract to Hickman Utilities for repair of a portion of East Third Street based on their pricing and experience. Mrs. Ivey stated the cost of the repair is \$5,685. Commissioner Rowell made a motion to approve the contract. The motion received a second from Mayor Pro Tem Walters and the vote was unanimous.
7. Mayor Smith announced the next item of new business as the Discussion and Review of Proposed Text Amendment to Town Zoning Ordinance - Section 66-133 (Number of Spaces Required – Clubhouses). The Board reviewed draft ordinance of proposed amendment to Town Zoning Ordinance which would change the requirement from one (1) space per every 80 square feet of area under roof to one (1) space per every 150 square feet under roof. Commissioner Williamson made a motion to refer the item to the Planning Board for consideration and scheduled a Public Hearing for 8:45am on December 13, 2016. The motion received a second from Commissioner Williams and the vote was unanimous.
8. Mayor Smith announced the next item of new business as the Discussion and Approval of Resolution for Town's Designation of Applicant's Agent for North Carolina Division of Emergency Management. Mr. Whiteside explained the resolution will allow Town Staff

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to proceed with the request for funding of storm damage claims resulting from Hurricane Matthew. Mayor Pro Tem Walter made a motion to approve the resolution which received a second from Commissioner Rowell. The vote was unanimous.

9. Mayor Smith announced the final item of new business as the Discussion and Approval of Contract for Sandbag Installation on East end. Mr. Whiteside stated that the Town had completed the required bid process and recommended the Board award the contract to J.P. Russ & Sons for installation of sandbags on the east end of the island. Mrs. Ivey stated the cost of the installation is estimated at \$53,000 (125 bags @ \$425 per bag) and may be reimbursable. Commissioner Rowell made a motion to approve the contract. 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 October 11<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 October 11<sup>th</sup>, 2016 Executive Session upon a motion of Mayor Pro Tem Walters with a second by Commissioner Williamson. 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: December 13, 2016

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



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