

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

**BOARD OF COMMISSIONERS MEETING
December 9, 2014 8:45 AM
PUBLIC HEARING
MINUTES**

MEMBERS PRESENT:

Mayor Debbie Smith	Mayor Pro Tem Dean Walters
Commissioner D.B Grantham	Commissioner R. Wayne Rowell
Commissioner Bob Williams	Commissioner Betty Williamson
Daisy Ivey, Town Administrator	Larry Sellers, Assistant Town Administrator
Sue Stuhr, Town Clerk	Michael Isenberg, Town Attorney

OTHERS PRESENT:

16 Property Owners/Guests

CALLED TO ORDER:

Mayor Smith called the public hearing to order and stated the purpose of the hearing was to solicit public comment with regards to modification to the Town's zoning ordinance as follows:

1) That Section 66-45 (3)(d) R-1 Single Family Residential District be amended to read as follows:

(d) The Town takes notice of the fact that there are several lots within residential subdivisions that when originally platted or modified are only 47 feet in width or less than 5,000 square feet. Since these lots were platted prior to 2005, the Town will not deny the issuance of a permit for construction as long as these lots are at least 47 feet in width and contain less than 5000 square feet. However, all other requirements of the zoning ordinance must be met.

Mayor Smith stated any interested persons were invited to provide public comment

Being no comment was heard; Mayor Smith declared the public hearing closed.

DATED: December 9, 2014

SIGNED: _____

Debbie Smith
Debbie Smith, Mayor

ATTEST: _____

Sue Stuhr
Sue Stuhr, Town Clerk



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

**BOARD OF COMMISSIONERS MEETING
DECEMBER 9, 2014
MINUTES**

MEMBERS PRESENT:

Mayor Debbie Smith	Mayor Pro Tem Dean Walters
Commissioner D.B. Grantham	Commissioner R. Wayne Rowell
Commissioner Bob Williams	Commissioner Betty Williamson
Daisy Ivey, Town Administrator	Larry Sellers, Assistant Town Administrator
Sue Stuhr, Town Clerk	Michael Isenberg, Town Attorney

OTHERS PRESENT:

Approximately 22 Property Owners/Guests

MEETING CALLED TO ORDER

Mayor Smith called the regular meeting to order with everyone repeating the Lord's Prayer and pledging allegiance to the flag.

ADOPTION OF CONSENT AGENDA

Mayor Smith stated the consent agenda included approval of the minutes of the November 10, 2014 Open Forum and Board of Commissioners meeting, and approval of Board of Commissioners and other Advisory Boards regular meeting schedule for the year 2015 with one adjustment to re-schedule the September 7 Open Forum to September 14, 2015. Upon a motion by Commissioner Grantham with a second by Commissioner Rowell, the Board vote was unanimous in approval.

ADOPTION OF AGENDA

Mayor Smith stated the next item of business was adoption of the meeting agenda. Commissioner Williams made a motion to approve the meeting agenda as presented. Upon a second by Commissioner Williamson, the Board vote was unanimous in approval.

MAYOR'S REPORT

Mayor Smith expressed the Town's appreciation to the Ocean Isle Property Owners Association for their impressive efforts in organizing the Super Saturday events including the Christmas parade, tree lighting and visit with Santa. Mayor Smith also provided an update following a recent meeting regarding the Shallow Draft Inlet Project indicating the individual permits for the project are expected within the next few months. Mayor Smith advised of an upcoming BBC Meeting scheduled at Ocean Isle Beach Town Hall on Thursday, December 11.

DEPARTMENTAL REPORTS

1. Administration – Mrs. Ivey provided a copy of the financial dashboard for the month of November 2014 for review by Board members. Mrs. Ivey reported on F/Y 2014

Board of Commissioners Meeting

Minutes

December 9, 2014

Page 2 of 6

property taxes indicating a current year collection rate of 43.79%. Mrs. Ivey also reported F/Y 2013 has \$117,639 in property taxes outstanding as of November 2014, at a current collection rate of 96.30%. Mrs. Ivey stated accommodation taxes for the month of October 2014 increased 25.54% and VRBO's showed an increase of 65% over same month prior year. Mrs. Ivey advised the Town has been notified of the award of a State CAMA grant for the replacement of the Leland Street Beach access. Mrs. Ivey provided an update on the Concrete Canal dredging project advising the contractor is currently ahead of the anticipated scheduled. Mrs. Ivey stated property owners need to continue to remain alert to the dredging schedule and take the necessary steps to remove boats appropriately. Mrs. Ivey reminded the Board of upcoming holiday events including the Advisory Board Appreciation Brunch on Wednesday, December 10 and the Board and Employees Christmas dinner on Thursday, December 11. Mrs. Ivey also reminded all present that Town Offices will be closed for the Christmas holiday December 24-26 and also on New Year's Day.

2. Police Department – Chief Bellamy provided a report on police activity for the month of November. Chief Bellamy advised the Police personnel is near completion of service training requirements. Chief Bellamy stated staff is also in the process of reviewing inventory for surplus equipment.
3. Water/Sewer/Street – Mr. Sellers provided a summary report of activities of the Water, Sewer and Street Departments during the month of November including details of seasonal landscape maintenance and projects in progress for each utility department. Mr. Seller also provided an update on the completion of the East End Water Tank Project indicating the new tank is in service and the old tank has now been removed. Mr. Sellers advised plans for landscape improvement in this area are also in process.
4. Fire Department – Chief Yoho summarized an activity report for the month of November indicating the Department responded to a total of 48 calls for service and a year to date total of 769, which reflects a 5% increase over prior year's statistics. Chief Yoho reported 290 hours of training and 37 fire inspections were performed during the month.
5. Planning/Zoning – Mr. Whiteside provided a report on behalf of the Planning Department. Mr. Whiteside advised the Town has received final approval of the Bicycle and Pedestrian Plan by NCDOT. Mr. Whiteside also noted the upcoming CRC meeting agenda will include the topic of static line authorization.
6. Building Inspections – Mr. Cooke provided a report from the Building & Inspections Department indicating that permits were issued for 5 new single family (SF) residential homes in the city and 2 residences in the ETJ for a total of 62 permits issued during the month of November, with a total construction value of \$2,511,782.

COMMENTS

Mayor Smith stated that this time had been set aside to allow our citizens to speak in regard to issues relating to agenda items. Mayor Smith stated that due to time constraints, each speaker should limit their comments to three minutes. Comments were heard as follows:

Mary Berry, 13 Concord Street - Mrs. Berry voiced her concern regarding the proposed roundabout project indicating in her opinion that it would not serve to alleviate traffic problems currently experienced and that traffic will remain an issue due to the fact that

Board of Commissioners Meeting

Minutes

December 9, 2014

Page 3 of 6

multiple business locations along the length of the Causeway contribute to the congestion problems.

Barrett McMullan, OI Fishing Center - Mr. McMullan related concerns on behalf of his father Rube McMullan, McMullan Properties, in regard to the proposed NCDOT roundabout project under consideration for Causeway Drive/ Hwy 179 intersection. Mr. McMullan expressed the opinion that a roundabout project may not prove to be effective in improving the traffic safety issues as intended and may potentially cause harm by restricting access to the businesses immediately adjacent to the area. Mr. McMullan stated the opinion that traffic accident statistic information does not support safety as a factor at this intersection and asked that this proposed project be dropped from consideration due to the negative impact to local businesses that could result.

Mac Campbell, Campbell Oil Company - Mr. Campbell indicated his agreement with the concerns expressed by Mr. McMullan and reiterated the opinion that a roundabout would not be the best answer for traffic issues at this intersection. Mr. Campbell stated his opposition due to potential problems with access to surrounding businesses and asked the Board not to proceed with the proposed project.

David Martin, 248 East First Street - Mr. Martin commented the traffic issues in the area of Causeway Drive and Hwy 179 will continue to become a greater problem in the future and indicated his support of the Town proceeding with a project to help alleviate traffic safety and congestion issues.

OLD BUSINESS

1. Mayor Smith stated discussion regarding Proposed Text Amendment to Town Ordinance 66-45(3)(d) R-1 Single Family Residential District was the first item of Old Business. Board members discussed adoption of a proposed text amendment to Section 66-45(3)(d) regarding lots within residential subdivisions that when platted or modified (prior to 2005) were only 47 feet in width and contained less than 5000 square feet. Attorney Isenberg suggested an edit to clarify the intended meaning of the ordinance by revising the wording to state "as long as these lots are at least 47 feet in width even if they contain less than 5000 square feet". Upon a motion by Commissioner Rowell and second by Commissioner Williamson, the Board voted unanimously to adopt a resolution to amend Town Ordinance Section 66-45(3)(d) R-1 Single Family Residential District to read as follows:

(d) The Town takes notice of the fact that there are several lots within residential subdivisions that when originally platted or modified are only 47 feet in width or less than 5,000 square feet. Since these lots were platted prior to 2005, the Town will not deny the issuance of a permit for construction as long as these lots are at least 47 feet in width even if they contain less than 5000 square feet. However, all other requirements of the zoning ordinance must be met.

2. Mayor Smith stated the next item of business was discussion regarding NCDOT traffic improvements at Highway 179 and Causeway Drive. Board members reviewed information

Board of Commissioners Meeting

Minutes

December 9, 2014

Page 4 of 6

in order to submit a recommendation to NCDOT regarding proposed safety improvements at the intersection of Highway 179 and Causeway Drive. Mayor Smith stated traffic safety has been identified as a concern by NCDOT and for this reason funds have been allocated to fund more than 2/3 of the estimated costs for a safety improvement project at this intersection. Mayor Smith suggested the preliminary plans being developed by NCDOT will provide the Town with the best alternatives to consider for safety improvements and the future plans for this important intersection. Commissioner Williams reiterated safety issues noted at this intersection and expressed his concern that more serious accidents may be inevitable if appropriate actions are not taken to improve this intersection. Commissioner Rowell indicated his agreement of the need to proceed with a project for both safety and future traffic needs in the intersection. Following discussion, Board members were in consensus of the need to study any proposed plans provided carefully and proceed in a manner that would include partnership with local merchants in the process of determining the best possible traffic solution. Commissioner Walters stressed the importance of not rushing into a roundabout project and the need to proceed carefully considering all viable options for improvements. Board members also discussed the importance of allowing public input into this process and as well as their sensitivity to local business concerns regarding proposed traffic improvements. Mayor Smith advised the Town has indicated their support of a traffic safety project at this intersection and anticipate preliminary plans will be provided by NCDOT within the next few months for further review.

NEW BUSINESS

1. Mayor Smith stated the first item of New Business was discussion regarding support of a resolution requesting NC Coastal Resources Commission consider an amendment to oceanfront setback rules in areas with a static line exception. Board members reviewed a draft resolution formally requesting the NC Coastal Resources Commission amend its rules regarding static line exception. Mayor Smith recommended support of the resolution which requests changes to allow more local options, proceeding with amendment to rules in areas to allow reconstruction of existing structures and allow the Town more oversight to make limitations. Mayor Pro Tem Walters expressed his support of changes to allow local direction and give communities some flexibility to control their local development. Following this discussion, upon a motion by Commissioner Grantham and second by Commissioner Rowell, the Board voted unanimously in support of the resolution as presented.
2. Discussion regarding recommendation to amend Town Ordinance Section 10-125 regarding regulation of fencing was the next item of New Business. Mr. Whiteside summarized a recommendation from Staff to develop regulations that would allow taller, solid fences around commercial structures. Mr. Whiteside advised the current ordinance allows only a four foot fence and recommended this issue be sent to the Planning Board for consideration. Following discussion, the Board was in consensus to direct staff to forward this issue to the Planning Board for consideration and recommendation.
3. The next item of business was a request for second amendment to Water Tower Lease agreement between the Town and New Cingular Wireless PCS, LLC. Mrs. Ivey

Board of Commissioners Meeting

Minutes

December 9, 2014

Page 5 of 6

summarized the request by New Cingular Wireless for modification to communications equipment located on the new East End Water Tank noting the Town's engineer had reviewed the request and recommended approval upon structural analysis by Caldwell Tank. Mrs. Ivey stated the contractor had not yet completed review of the structural analysis and staff suggested approval of the amendment contingent upon this final approval by the contractor. Commissioner Rowell made a motion to approve the second amendment contingent upon approval of the structural analysis by Caldwell. Upon a second to the motion by Commissioner Williamson, the Board vote was unanimous in approval.

4. Mayor Smith stated discussion regarding appointment to fill expiring term on the Ocean Isle Beach ABC Board for a term expiring December 2014 was the next item of New Business. Commissioner Rowell made a motion to appoint Bob Calhoun to serve an additional term on the ABC Board. Upon a second to the motion by Commissioner Williamson, the Board vote was unanimous in approval.
5. Discussion regarding a proposal to invite the 2015 Southern Kingfish Association National Championship to Ocean Isle Beach was the final item of New Business. Mayor Smith summarized a request from the Ocean Isle Fishing Center for the Town to extend an invitation to the Southern Kingfish Association (SKA) to conduct the national championship at Ocean Isle Beach and seek the Town's commitment to inducement monies for a major fishing tournament event. Mayor Smith provided details following a meeting with Mr. McMullan regarding the logistics involved for such an event that would be held late in October 2015. Mayor Smith stated the event would require inducement monies in an amount of \$25,000 and advised Mr. McMullan has indicated that support for this funding is being sought from local tourism sources including the Brunswick County TDA, Chamber of Commerce and other economic development partners. Board discussion followed regarding the logistics involved in hosting hundreds of fishing teams with their families to Ocean Isle Beach and the economic benefits such an event could bring to the local area. Mr. Brant McMullan provided information regarding the SKA Championship event and the details involved in hosting such a tournament. Following this discussion, Mayor Pro Tem Walters made a motion to pursue further discussions regarding this event and suggested, if the efforts to raise inducement monies proved successful, the Town should consider supporting the efforts of the OI Fishing Center to bring the 2015 SKA National Fishing Championship to Ocean Isle Beach. Upon a second by Commissioner Grantham, the Board vote was unanimous in approval.

EXECUTIVE SESSION

The Board recessed to Executive Session upon approval of a motion of Commissioner Rowell with a second by Commissioner Williams. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve the minutes of November 10, 2014 Executive Session as per G.S. 143-318.11(1) and consult with the Town Attorney regarding pending legal issues as per G.S. 143-318.11(3).

Board of Commissioners Meeting

Minutes

December 9, 2014

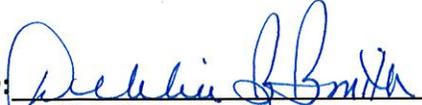
Page 6 of 6

The Board returned to regular session upon approval of a motion by Commissioner Williams with a second by Commissioner Rowell. Mayor Smith reported during executive session the Board approved the minutes of the November 10, 2014 executive session upon a motion of Commissioner Rowell and second by Commissioner Williams. The vote was unanimous. Mayor Smith stated during executive session the Board also consulted with the Town Attorney regarding pending legal issues.

ADJOURN

Being no additional business was heard; Commissioner Walters made a motion to adjourn. Upon a second by Commissioner Williamson, the vote was unanimous to adjourn.

DATED: December 9, 2014

SIGNED: 
Debbie S. Smith, Mayor



ATTEST: 
Sue Stuhr, Town Clerk