

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

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

MEMBERS PRESENT:

Mayor Debbie Smith
Commissioner Betty Williamson
Commissioner Wayne Rowell
Mike Isenberg, Town Attorney
Bobby Hardy, Public Utilities Dir.
Justin Whiteside, Asst. Town Administrator
Robert Yoho, Chief of Fire Department

Mayor Pro Tem Dean Walters
Commissioner Bob Williams
Commissioner Carolyn Blythe
Casey E. Reeves, Town Clerk
Ken Bellamy, Chief of Police

MEMBERS ABSENT:

Daisy L. Ivey, Town Administrator

OTHERS PRESENT:

Approximately 25 Property Owners and Guests
Brian Slattery, Brunswick Beacon
Greg Adams – Thompson, Price, Scott, Adams, & Co., P.A.
Rick Moore - McKimm & Creed
Chris Wilson & Susan Bradford – The Waterfront Markets, LLC
Charles Worthen - Halpern Enterprises

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:

1. Approval of Minutes:
 - November 8, 2016 Board of Commissioners Meeting Minutes
 - November 21, 2016 Open Forum Meeting
2. Approval of Lease Renewal Between Town and Virginia Williamson/OIB Holdings LLC
3. Approval of 2017 Meeting Schedule

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

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ADOPTION OF AGENDA

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

REPORTS BY MAYOR

Mayor Smith stated the CAMA permit for the Terminal Groin Project was issued last month and recent conversations with the Corps appear to have the Town on track to receive the Record of Decision sometime in January, 2017. Mayor Smith noted she and Town Administrator, Daisy Ivey, attended the North Carolina Beach Inlet and Waterway Association Conference in Wrightsville Beach on November 13th & 14th.

DEPARTMENTAL REPORTS

1. Administration – Mr. Whitesides stated Ad Valorem collection rates were 56.56% for current year with outstanding taxes for prior years totaling \$99,311.79. Mr. Whiteside announced there will be an Ocean Isle Beach Park – Phase II “Kick-off” Meeting on Wednesday, December 21st at 12:30pm to review final plans from Benesch Consulting and Engineering Firm.
2. Police Department – Chief Ken Bellamy stated that incidents requiring investigation were up 20% over the same time period last year and arrests were up 100%. Chief Bellamy stated no accidents had been reported and noted an increase in citations of 25%. Chief Bellamy noted a decrease in total call volume of 43% and stated that the Department completed 73 hours of training in the month of November.
3. Fire Department – Chief Yoho reported during the month of November the Department completed 36 inspections and had an increase in call volume of 9.5% over the same time period (January-present) in 2015 and up 69.7% for the month of November. Chief Yoho remarked that the Department completed 190 hours of training during the month of November.
4. Public Utilities – Mr. Bobby Hardy reported that the Public Utilities Department installed 15 new taps, performed normal locates, and reopened water and sewer lines on Heron court after testing was successfully completed. Mr. Hardy stated that the Department inspected the top of the East End Water Tower after recent modifications to equipment were made by cell antennae lessees. Mr. Hardy noted the Department also replaced two fire hydrants. Mr. Hardy stated the Street Department has completed holiday decorating and winter plantings. Mr. Hardy continued that the Department has winterized the Community Center and Beach Accesses. Mayor Smith noted the excellent work performed by the Building and Maintenance Department regarding the recent repair and replacement of multiple beach accesses.
5. Planning and Inspections – Mr. Whiteside stated Town staff hopes to present ideas at February Board of Commissioners Meeting regarding possible uses for \$150,000 of available Grand Strand Area Transportation Study (GSATS) funds pending award of grant. Mr. Whiteside announced receipt of encroachment agreement for pedestrian

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walkways and noted Private Drive and Monroe Street will be the first 2 locations to install the pedestrian walkways. Mr. Whiteside noted the beach access at Private Drive is temporarily closed and undergoing a full replacement. Mr. Whiteside stated Heron Drive water and sewer lines have been re-installed after damage incurred during Hurricane Matthew. Mr. Whiteside noted power has also been restored to 4 of the 6 homes on Heron Court.

6. Building Inspections – Mr. Dycus reported permits had been issued for 5 new single-family residential homes in the Town limits and 3 new homes in the ETJ during the month of November. Mr. Dycus reported a total of 78 permits were issued with a construction valuation of \$4,578,360. Mr. Dycus stated 2 new commercial permits were issued including the construction of a new First Bank at the corner of Hale Beach Road and Beach Drive and a gas station kiosk at Lowe's Foods.

COMMENTS

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

OLD BUSINESS

1. Mayor Smith stated the first item of old business was the Discussion of Group Activity Application for Waterfront Market at OIB. The Board discussed a memo submitted by Town Administrator, Daisy Ivey, summarizing information received during recent meetings with event organizers, Town of Sunset Beach staff, and Museum of Coastal Carolina staff. A motion was made by Commissioner Rowell to approve group activity request on a 60-day trial basis to be reviewed at the July 11th, 2017 Board of Commissioner's meeting and to include the following contingencies:
 - If the Town sees the Market is creating problems with parking, etc. Market will be requested to cease operation.
 - Market organizers will be responsible for collection and removal of all trash
 - Vendors will not be allowed to park in Market area. They will however be allowed to load and unload in this area. Suggested to Market organizers that they speak with Pier regarding securing parking for vendors in Pier parking area
 - Acoustic Guitarist will be only music allowed during Market
 - Vendors will set up adjacent to Second Street and face Gatha Lane
 - Market will be responsible for erecting sign indicating Market entry is from Gatha Lane

Motion received a second from Commissioner Williamson. The vote was unanimous.

2. Mayor Smith stated the second item of old business was the Discussion and Review of Public Hearing Issue regarding Proposed Text Amendment to Town Zoning Ordinance - Section 66-133 – Number of Spaces Required – Clubhouses. Mr. Whiteside stated that the matter was presented during a Public Hearing conducted prior to the current BOC meeting (8:45am, December 13th, 2016). The Board briefly discussed proposed

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amendment and a motion was made by Mayor Pro Tem Walters to approve the proposed amendment which received a second from Commissioner Williamson. The vote was unanimous.

NEW BUSINESS

1. Mayor Smith stated the first item of new business was the Presentation and Discussion of F/Y 2015-16 Financial Statement. Mr. Greg Adams of Thompson, Price, Scott, Adams, & Co., P.A. outlined his firm's required communications and responsibilities under Generally Accepted Auditing Standards, Government Auditing Standards, OMB Circular A-133, and the State Single Audit Implementation Act. He stated that the Town received an unqualified opinion and thanked the Town Staff and Commissioners for their assistance.
2. Mayor Smith stated the next item of new business as the Discussion and Approval of Sketch Plan review submitted by Halpern Enterprises and Planning Board Recommendation. Mr. Whiteside stated that Planning Board recommended approval of the commercial subdivision sketch plan as presented. Commissioner Rowell made a motion to approve the plan which received a second from Commissioner Williams. The vote was unanimous.
3. Mayor Smith announced the third item of new business as the Discussion and Approval of Request for Group Activity - Paws-Ability 7th Annual Bicycle Poker Run on October 14th, 2017 between the hours of 10am-7pm. Mr. Whiteside noted that event sponsor will need to provide proof of renewed liability insurance policy prior to event. Mr. Whiteside stated the event sponsor has received permission letter from Museum to allow event parking. Mayor Pro Tem Walters made a motion to approve the activity, the use of Town property adjacent to Museum, and the waiver of fee due to non-profit status. The motion received a second from Commissioner Blythe. The vote was unanimous.
4. Mayor Smith announced the next item of new business as the Discussion and Approval of Contract for Sandbag Installation. 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 Columbia Street. Mr. Whiteside stated the cost of the installation is estimated at \$15,300 (36 bags @ \$425 per bag) and may be reimbursable through FEMA. Commissioner Rowell made a motion to approve the contract. The motion received a second from Commissioner Williams and the vote was unanimous.
5. Mayor Smith announced the next item of new business as the Discussion and Review of Proposed Text Amendment to Town Zoning Ordinance - Section 66-281(q) (Supplementary Regulations – Fireplace/Chimney Enclosures). The Board reviewed draft ordinance of proposed amendment to Town Zoning Ordinance which would allow multiple fireplace/chimney enclosures to encroach into the required side yard setback. Mayor Pro Tem Walters made a motion to refer the item to the Planning Board for consideration. The motion received a second from Commissioner Williamson and the vote was unanimous.

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6. Mayor Smith announced the next item of new business as the Discussion and Approval of Final Land Use Plan for Phase 2a - The Retreat at Ocean Isle Beach. Mr. Whiteside noted that no changes have been made since the preliminary Master Land Use Plan was approved and stated all the items required for Final Master Land Use Plan have been provided. Commissioner Williams made a motion to approve the Final Master Land Use Plan. The motion received a second from Commissioner Rowell and the vote was unanimous.
7. Mayor Smith announced the next item of new business as the Discussion and Approval of Improvement Guarantee Reduction - The Retreat at Ocean Isle Beach. Mr. Whiteside stated the developer recently completed all improvements with the exception of a 5' sidewalk in Phase IIa. Mr. Whiteside noted the engineer's estimate of remaining improvements in all phases, including phase IIa, equals \$31,045.00. Mr. Whiteside commented that if reduction receives Board approval, the Town will issue a reduction check to developer in the amount of \$267,158.76. Commissioner Williams made a motion to approve the Improvement Guarantee Reduction. The motion received a second from Commissioner Rowell and the vote was unanimous.
8. Mayor Smith announced the next item of new business as the Discussion and Review of Interlocal Contract for Cooperative Purchasing with Houston-Galveston Area Council Cooperative Purchasing Program. Mr. Whiteside explained the HGACBuy Program will assist in the financing and bidding processes regarding acquisition of a new ladder truck for Fire Department. Town Attorney, Mike Isenberg, noted the HGACBuy Program was endorsed by the North Carolina League of Municipalities and the School of Government. Chief Yoho noted a flat fee will be paid to HGACBuy Program once the Town agrees to a sign contract with the manufacturer of new ladder truck. Commissioner Rowell made a motion to approve the resolution which received a second from Commissioner Williams. 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 November 8th, 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 Mayor Pro Tem Walters with a second by Commissioner Blythe. The vote was unanimous. Mayor Smith stated during executive session the Board unanimously adopted the minutes of the November 8th, 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.

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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: January 30, 2017

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

(SEAL)



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