

Town of Swansboro
Board of Commissioners
August 22, 2022, Regular Meeting

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Mayor Pro Tem Tursi, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

Call to Order

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

Adoption of Agenda and Consent Items

On a motion by Mayor Pro Tem Tursi seconded by Commissioner Turner, the *Public Improvements Acceptance Request – Shipwright Pointe Section II and Pine Bluff Road (to Knightheds Drive)* was removed from consent. The amended agenda and the below consent item were adopted unanimously.

- Resolution Awarding Service Badge and Sidearm to Ken Jackson

Appointments/Recognitions/Presentations

Board Appointments

Manager Webb reviewed that due to resignations, and members relocating outside of the jurisdiction, and no appointments being made at prior meetings, there were appointments needed for one (1) ETJ Alternate seat on the Board of Adjustment and two (2) in town Alternate seats on the Historic Preservation Commission.

Gregg Casper and Elaine Justice were appointed to the Historic Preservation Commissioner Alternate seats.

Business Non-Consent

Text Amendment/Town Code Chapter 74 Traffic Schedules - I. Stop Intersections and VI. Speed limits

Police Chief Taylor reviewed that at the Boards June 27, 2022, meeting, consideration was requested for additional stops signs in the Parks Place subdivision and for the speed limit in all subdivisions to be 20 mph.

An amendment was prepared to the Town Code Chapter 74 Traffic Schedules I. Stops and VI. Speed limits to add a stop intersection to the Whistling Heron Way and Little Egret Lane intersection, and for the speed limit in all subdivisions to be 20 mph.

On a motion by Commissioner Turner, seconded by Commissioner Philpott Ordinance 2022-O12 amending the Town Code Chapter 74 Traffic Schedules I. Stops and VI. Speed limits to add a stop intersection to the Whistling Heron Way and Little Egret Lane intersection, and for the speed limit in all subdivisions to be 20 mph was approved unanimously.

During discussion, it was mentioned that there was some driver confusion during the SwanFest Sunday concert series and that a no right turn sign needed to be adjusted at Main Street.

Swansboro Rotary Five-O Fishing Tournament-Fee Waiver

Parks & Recreation Director Stanley reviewed that the Swansboro Rotary Five-O tournament had submitted a Special Event Application requesting a waiver of fees at the Church Street Dock October 20-22, 2022. The request was for a waiver of two slips for overnight boaters, and the use of slip 5-10 during the tournament and street closures from 6-11 pm on Saturday, October 20th. The request was reviewed by the Parks & Recreation board, and they were in favor of the fee waiver.

On a motion by Commissioner Philpott seconded by Commissioner Turner the waiver of fees for two overnight slips at Church Street Dock, use of slips 5-10 during the day, and street closures was approved unanimously.

Board of Commissioners Policy 12 – Samuel Swann Bland Award

Manager Webb reviewed that board members requested to revisit the Samuel Swann Bland Award policy to consider amendments. Applications have typically allowed to be submitted by October 31st, with selection occurring in November and announcement of recipient is at a December meeting. The policy has been updated to reflect these dates.

The following changes to the policy were suggested:

- Name change – Swansboro Volunteer of the Year
- Place a plaque honoring all recipients in Town Hall Lobby
- Announce acceptance of applications throughout the year
 - Radio blast, announcements to schools, churches, libraries, etc.
- Hold a dinner reception honoring recipient

Future Agenda Items

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

The following items were addressed:

- Consideration to establish Pool Committee removed from September 12, 2022, agenda

- Breakout Demo by Neglect Ordinance and individual future agenda item
- Planning Board review of table of permitted uses, after consider re-empowering Board of Adjustment to review some of all Special Use Permits

Items moved from Consent

Public Improvements Acceptance Request – Shipwright Pointe Section II and Pine Bluff Road (to Knightheds Drive)

Tidewater Associates, on behalf of A. Sydes Construction, Inc., requested final acceptance of the public improvements in Section II of Shipwright Pointe subdivision. Section II consisted of 43 lots on 32.4 acres and was the final phase in Shipwright Pointe subdivision. A warranty guarantee in the amount of \$90,479.23 would remain in place for 12 months following the Board's acceptance of the public improvements.

Additionally, in October 2021, Butch Brothers LTD petitioned to voluntary annex consolidated real property known as the Public Right-of-Way Portion of Pine Bluff Road which serves as a connection between Halls Creek and the Shipwright's Pointe Subdivision. They have requested acceptance of this area, and a warranty guarantee in the amount of \$3,182.50 had been submitted.

In response to inquiries from the Board, Attorney Parrish clarified that if issues developed during the warranty period it would be the responsibility of the developer to resolve. If the developer could not fund repair of an issue, then the guarantee would be the recourse along with any other items such as sureties or bonds.

Additionally, Manager Webb shared that the Town engineer Ronald Cullipher with The Cullipher Group reviewed the cost opinion provided by Parker & Associates and found the amount to be adequate and in accordance with Town requirements.

On a motion by Commissioner Turner, seconded by Mayor Pro Tem Tursi, Resolution 2022-R6 to accept the streets and rights-of-way within Shipwright Pointe II including a portion of Pine Bluff Road was approved unanimously.

Public Comment

Joe Brown of 202 Knightheds Drive spoke regarding stop signs in the Shipwrights Point subdivision that were approved earlier in the meeting and inquired if the signs would be installed by the Town. He was provided confirmation that they would be installed by the Town.

Christian Smith shared with the board that he had submitted his talent bank application for consideration of appointment to the Historic Preservation Commission and thank Chief Taylor on his promotion.

Manager's Comments

Manager Webb reminded the board of the upcoming holiday office closure on Monday September 5, 2022, for Labor Day.

Board Comments

Mayor Pro Tem Tursi shared with the board that stormwater ponds (if they fail) are the responsibility of the permit holder. NDDWQ was supposed to monitor and determine if a pond fails.

Commissioner Philpott shared that the RFQ for the EOC/Public Safety Building project had been sent to 6 firms and posted to the website. Responses were due by September 9, 2022.

Commissioner Turner shared that she felt the joint meeting with the planning Board on August 18, 2022, went very well. She thanked Manager Webb for her weekly report and felt that it helped meetings go by quicker.

Mayor Davis shared the following items:

- He had received complaints regarding trash downtown and inquired if more containers could be placed downtown especially for the weekend events.
- Moving of the Kitchen Building on Main Street was needed and wanted consideration for funding provided by the Town considered.
- Invitation to the Tunnel to Towers 911 Hometown Heroes Dinner was extended to the board members.
- Rezoning consideration for parcels along Water Street from B2HDO to Residential had been mentioned by several homeowners.

Closed Session

On a motion by Commissioner Conaway seconded by Commissioner Philpott the board entered closed session pursuant to NCGS 143-318.11 (a) (3) to allow the Town Attorney to provide updates on legal matters under the attorney-client privilege, including the matter of Town of Swansboro vs. Estate of Drew Lutheran, Taylor Massey, Deanne Lunas, and Garrett Lutheran.

During closed session, a motion was made and seconded to return to open session. No action was taken.

Adjournment

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, the meeting adjourned at 7:25 pm.

Regular Meeting August 22, 2022



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1. Please turn cell phones to “off” or “vibrate”.

2. The Board offers the public three opportunities to speak during the meeting:

A comment period is offered at the beginning and end of the meeting. Please note that a separate opportunity is provided for those items requiring a public hearing.

Public Hearing(s) – There are 0 public hearings scheduled for this meeting.

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PUBLIC COMMENT

Citizen opportunity to address the Board for items listed on the agenda.

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AGENDA AND CONSENT ITEMS

Action Needed: *Motion to Adopt the Agenda as prepared (or amended) and approval of the Consent Items*

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Appointments

Board Appointments

Due to resignations, and members relocating outside of the jurisdiction, and no appointments being made at prior meetings, there are appointments needed for one (1) ETJ Alternate seat on the Board of Adjustment and two (2) in town Alternate seats on the Historic Preservation Commission.

Recommended Action:

- 1. Consider appointments to the Board of Adjustment*
- 2. Consider appointments to the Historic Preservation Commission*

Presenter: Pula Webb – Town Manager

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NEW BUSINESS/NON-CONSENT

Text Amendment/Town Code Chapter 74 Traffic Schedules - I. Stop Intersections and VI. Speed limits

At the Boards June 27, 2022, meeting, consideration was requested for additional stops signs in the Parks Place subdivision and for the speed limit in all subdivisions to be 20 mph. An amendment is prepared to the Town Code Chapter 74 Traffic Schedules I. Stops and VI. Speed limits to add a stop intersection to the Whistling Heron Way and Little Egret Lane intersection, and for the speed limit in all subdivisions to be 20 mph.

Recommended Action: *Motion to approve or deny Ordinance 2022-O12*

Presenter: Dwayne Taylor- Police Chief

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NEW BUSINESS/NON-CONSENT

Swansboro Rotary Five-O Fishing Tournament-Fee Waiver

The Swansboro Rotary Five-O tournament has submitted a Special Event Application requesting a waiver of fees at the Church Street Dock October 20-22, 2022. The request is for waiver of two slips for overnight boaters, and the use of slip 5-10 during the tournament and street closures from 6-11 pm on Saturday, October 20th.

Recommended Action: *Approve or deny waiver of fees for two overnight slips at Church Street Dock, use of slips 5-10 during the day, and street closures.*

Presenter: Anna Stanley- Parks & Recreation Director

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NEW BUSINESS/NON-CONSENT

Board of Commissioners Policy 12 – Samuel Swann Bland Award

Board members requested to revisit the Samuel Swann Bland Award policy to consider amendments.

Applications have typically been allowed to be submitted by October 31st, with selection occurring in November and announcement of recipient is at a December meeting. The policy has been updated to reflect these dates.

Recommended Action: *Discuss and provide direction to staff for policy amendments.*

Presenter: Name – Paula Webb- Town Manager

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NEW BUSINESS/NON-CONSENT

Future Agenda Items

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

Action Needed: Discussion and provide any guidance

Presenter: Paula Webb- Town Manager

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PUBLIC COMMENT

Citizen opportunity to address the Board.

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MANAGER'S COMMENTS

Paula Webb, Town Manager

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BOARD COMMENTS

Mayor John Davis
Mayor Pro Tem Frank Tursi
Commissioner Pat Turner
Commissioner Harry "PJ" Pugliese
Commissioner Larry Philpott
Commissioner Jeffrey Conaway

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CLOSED SESSION

Motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) to allow the Town Attorney to provide updates on legal matters under the attorney-client privilege, including the matter of Town of Swansboro vs. Estate of Drew Lutheran, Taylor Massey, Deanne Lunas, and Garrett Lutheran.

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ADJOURN

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