

**Town of Swansboro  
Board of Commissioners  
February 14, 2022, Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Jeffrey Conaway. It was noted that Mayor Pro Tem Tursi participated remotely as allowed by NCGS 166A-19. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020.

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**Call to Order/Opening Prayer/Pledge of Allegiance**

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

**Public Comment**

Junior Freeman of 108 Ridge Cove Lane commented on the proposed Historic Demo fee on the agenda and reminded them that permitting fees must directly relate to permitting per new legislation. He further pointed out that the Future Agenda items did not reflect the Emergency Operations Center and budget workshops.

Terry Wilson of 601 Spoleto Court in the Charleston Park Subdivision congratulated the elected and re-elected board members and urged the Board to consider some type of resolution for the neighborhood's streets and stormwater issues.

**Adoption of Agenda**

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the Agenda and Consent Item were unanimously approved.

- Tax Refunds		
Howard, Joshua Franklin	\$62.34	Military
Kaster, Jessica Merrill	\$158.90	Military
Torbush, Fred Gene	\$23.31	Tag Surrender

**Business Non-Consent**

*Discussion on Schedule of Fees Amendment Related to Demolition in the Historic District*

The Board of Commissioners reviewed the proposed changes at their January 24, 2022, regular meeting, and asked that Staff arrange for the Chairs of the Historic Commission to attend the February meeting to further discuss the demolition fee proposed.

Planner Ansell reviewed that after further review and clarification, it was the intention of the Historic Preservation Commission for the fee to be a penalty not a permit fee.

Vice Chair of the Historic Preservation Commission, Kim Kingrey shared that the board created the fee as a penalty because there was no ordinance in place to deter homeowners from demolishing.

In response to inquiries from the Board, Attorney Parson clarified that the fee couldn't be punitive, must be reasonable and would have to go into permitting funds to be used to cover expenses in connection with the penalty. Additionally, there could be an established permit fee for demolition, but it would have to be reasonably related to the cost of permits and inspections.

Planner Ansell clarified that permits associated with demolition in the Historic District were covered under the COA application of \$400, then by the permitting fee of \$100 for demolition in the fee schedule.

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the recommended amendment to the schedule of fees to add an after-the-fact \$2,000 penalty for demolition in the Historic District, was approved unanimously.

#### *Update on Items Discussed at September 2021 Joint Meeting*

The Board of Commissioners has asked staff to provide an update on where the Historic Preservation Commission stands on the items discussed at the September 21, 2021, joint meeting.

Planner Ansell shared that Mrs. Kingrey had been appointed to attend the Historic Associations meeting to establish a better partnership with them. Each meeting the Board will tackle up to two items a month. The Board decided at the last meeting to create a survey that would be sent town wide related to the historic district.

In response to inquiries from the Board, Mrs. Kingrey felt the board would make progress just fine, but her main concern in the district was that there was no policing of the district.

Manager Webb shared that policing of the district was Mrs. Ansell's responsibility in conjunction with the Permit Technician and building inspector to gather enforcement items. Additionally, she confirmed that there would be a position proposed during the budget process for a Planner Tech, which would include the duty of enforcement.

Planner Ansell shared those concerns related to tarps still on buildings from Hurricane Florence, and properties in bad repair could be addressed through the Town Code section that deals with nuisance situations and building safety. Vacant properties downtown was in the Coastal A zone of VE zone and repairs to those would be

substantial improvements and would fall under the 50% rule which would include elevation requirements be met.

#### *Visitor's Center Improvements*

Manager Webb reviewed that in 2019, it was decided that the Town would make improvements to the Visitor's Center after the Chamber of Commerce moved out of the building. Improvements would include drafting a plan that offered suggestions from downtown merchants and boaters on specific amenities to include an additional restroom, showers, and a washer/dryer.

Attention was made to FEMA regulations that consider substantial improvement to be when any combination of work exceeds 50% of the market value of a structure. If the work exceeds 50% of the value, the entire structure must be brought into compliance with the current flood ordinance regulations. The Town's private appraisal gave a value of \$57,000, while the Onslow County Tax Office provided a building value of \$10,850 (2021). What that meant was that the Town would have to phase the improvements (roughly \$28,000 per year). More importantly staff was not confident what improvements could be done per phase with only \$28,000.

In addition, staff learned from John Wood, of the NC State Historic Preservation Office that the structure lost its contributing status when it was moved from its original location, raised (due to FEMA regulations), and a handicap ramp added (required for ADA Compliance). One of the only exemptions to the substantial improvement rule was alteration to a historic structure (contributing). Without other significant architectural changes (such as moving the side entry steps to the front of the building for example) it seems unlikely that anything could be done to regain the contributing status because we were required to adhere to flood zone elevations and ADA compliance regulations. Mr. Wood did indicate that he would need to make a site visit to better determine what steps the Town could take to regain the contributing status.

The Town was awarded \$20,000 from the Onslow County TDA that must be spent by June 30, 2022. Manager Webb confirmed that the Town could utilize the \$20K County TDA funds to pay an engineer to develop such plan as described in Option 2 below.

**Option 1.** Continue with the phased approach, which could take 3-4 years to complete due to the 50% rule.

**Option 2.** Raise the building to meet the current Coastal A Zone requirements (treated like the VE zone; foundation would have to be breakaway, and all equipment like air

handlers, electrical components must be elevated) then the 50% rule would no longer apply, and we can make the improvements all at one time in lieu of a phased project. This option would need Historic Preservation Commission review and approval.

The Board felt that bringing the facility back to its original intent (restrooms) was important and should be the first step then make the necessary steps to regain the contributing status, then focus on raising the structure.

Amelia Dees-Killette, of the Swansboro Historical Association, shared that the need to rank the importance of what to do was not necessary and believed that all options could be accomplished, and everyone involved could be happy.

On a motion by Commissioner Philpott, seconded by Commissioner Pugliese, and approved unanimously, the proposed goals related to the Visitors Center were to be presented to John Wood to obtain his guidance on how to accomplish those goals.

#### *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.

Mrs. Fender shared with the Board that the Resilient Coastal Communities Program was holding a drop-in style public input meeting on February 23<sup>rd</sup>. The purpose of the meeting was to gain feedback on proposed options to improve the Towns resiliency to coal hazards.

The following items were addressed:

- Considerations for the Advisory Board Appreciation Reception to be held in person was approved and would be planned accordingly.
- Mayor Davis requested the addition of recognition for a recent student who placed 2<sup>nd</sup> at the state level. Per the Boards policy on recognitions, those were conducted for the achievement of state championship only.
- A closed session for review of legal matters was requested to be scheduled for a future meeting.

#### **Public Comments**

Junior Freeman of 108 Ridge Cove Lane encouraged the board to keep in mind while going through the upcoming budgeting process, that permitting fees have specific treatment requirements. He also commented on the Demo by neglect issue and as he

recalled the town did not have any recourse to get those structures back in repair and wanted to see something come in form of an ordinance. Regarding the \$2,000 penalty, he felt a fine for violating the ordinance would be better. Additionally, he commented that the Visitor's Center main purpose was for a restroom facility and not for a Visitors Center, and the building was adaptable as it stands now for plumbing changes. Revaluations from the county forthcoming on properties could result in an increase in the structures value.

### **Manager's Report/Comments**

In addition to the report provided in the agenda packet, Manager Webb brought attention to her memo pertaining to funds received from the state for EOC and Sidewalks. A scope of work was requested which could be provided for sidewalks, but the EOC scope of work had not be determined to date. She believed that they assumed the project was shovel ready, however the decision on location and the building specifics were still needing to be determined and finalized. Mrs. Webb shared that the main cost was dependent on where the structure would be located. She shared that ONWASA would be abandoning one of their pump sites in the future, and consideration could be made to relocate Public Works to the pump site and the EOC be erected on the Public Works property.

After discussion it was decided that the project scope of work determination would be held during their March 2, 2022, Planning Retreat.

### **Board Comments**

Mayor Pro Tem Tursi shared that he was hopeful there would be a good turnout for the upcoming RCCP Community input meeting on February 23<sup>rd</sup>. Additionally, he shared that he was selected by the Federal Government to be on a task force formed by the Bureau of Offshore Energy Management for the sighting of offshore wind development. There could be opportunities in the future for Swansboro and he would report back to the board after his meetings.

### **Adjournment**

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the meeting adjourned at 7:29 pm.

# Regular Meeting February 14, 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 no public hearing scheduled for this meeting.

3. Under the ZOOM Meeting Platform, individuals wishing to make comments should “raise their hand” 🖐️ from their computer. At the appropriate time, Major Davis will acknowledge those with comments.

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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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# NEW BUSINESS/NON-CONSENT

## Text Amendment/Town Code Chapter 74 Traffic Schedules Schedule V. One-Way Streets

At the February 22, 2021, Regular Meeting the Board unanimously adopted the Downtown Traffic Analysis for changes to be made effective after the tourist season concluded. The Town Code Chapter 74 Traffic Schedules Schedule V. One-Way Streets needs to be updated to reflect these changes and address other wording for conciseness.

***Recommended Action:*** Motion to approve Ordinance 2022-02.

**Presenter: Alissa Fender, Town Clerk**

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# NEW BUSINESS/NON-CONSENT

## Discussion on Schedule of Fees Amendment Related to Demolition in the Historic District

The Board of Commissioners reviewed the proposed changes at their January 24, 2022, regular meeting, and asked that Staff arrange for the Chairs of the Historic Commission to attend the February meeting to further discuss the demolition fee proposed.

***Recommended Action:*** Amend the Schedule of Fees as proposed

**Presenter: Jennifer Ansell – Planner**

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# NEW BUSINESS/NON-CONSENT

## Update on Items Discussed at September 2021 Joint Meeting

The Board of Commissioners has asked staff to provide an update on where the Historic Preservation Commission stands on the items discussed at the September 21, 2021, joint meeting.

**Presenter: Jennifer Ansell – Planner**

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# NEW BUSINESS/NON-CONSENT

## Visitor's Center Improvements

Staff seeks guidance on how to proceed with Visitor's Center Improvements.

*Recommended Action: Provide guidance on how to proceed with the project*

**Presenter: Paula Webb – Town Manager**

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# NEW BUSINESS/NON-CONSENT

## Future Agenda Items

The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc. In providing this memo each month, we hope it will also provide opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

***Action Needed:*** Discussion and guidance to staff on future agenda items.

**Presenter: Alissa Fender – Town Clerk**

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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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ADJOURN