

**Town of Swansboro
Board of Commissioners
May 24, 2021 Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur. It was noted that the Board had returned to remote meetings through the ZOOM platform as allowed by NCGS 166A-19. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020 and it remained in effect.

Call to Order/Opening Prayer

The meeting was called to order at 5:30 pm. Mayor Davis gave the invocation.

Public Comment

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

Adoption of Agenda

On a motion by Commissioner Philpott, seconded by Mayor Pro Tem Tursi, the Agenda, and Consent Item below were unanimously approved.

Tax Refunds – Refunds totaling \$105.13.

Vehicle Tax

Hughes, Nolan Kyle \$69.41 Military

Peters, Delores Jean \$35.72 Tag Surrender

Business Non-Consent

160D Amendments – Chapter 160D of the North Carolina General Statutes consolidated current statutes for local development regulations (now in Chapter 160A) into a single, unified chapter, and placed these statutes into a more logical, coherent organization. It refined procedures, aligned terminology, and confirmed authority that was presumed under old statutes.

Chapter 160D became effective June 19, 2020, however local governments had until July 1, 2021 to update local ordinances and policies to comply. All city and county zoning, subdivision, and other development regulations, including unified development ordinances, needed to be updated by that date.

The Town held a Public Hearing at its May 10, 2021 regular meeting and in accordance with regulations in place for remote meetings, the Public Hearing was then held open to

allow for written public comments for up to 24 hours. No further comments had been submitted. The public hearing was closed.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, Ordinance 2021-O3 was adopted with the following statement of consistency; that the zoning amendments were consistent with the adopted comprehensive plan, recommended by Planning Board, and would meet current NC General Statutes. The vote was unanimous.

Red Fish Tournament Series Rental Fee Reduction Request – Michael Mattice had submitted an event application for the Redfish Madness Tournament Series to be held on June 12, July 10, and August 14, 2021 in downtown Swansboro at the Pugliese Pavilion from 9am-6pm each day. This was to be the second year for the tournament series and last year the event brought 45 2-man teams per event to the area. In addition to the tournament, they would offer kids activities, entertainers, and at the August 14 event, they would host the local CCA Kids Tournament. Organizers expected the series to bring approximately 200 people downtown each day. The Redfish Madness Tournament paid back 100% of all entry fees to the anglers and raised money at each event for local charities.

Mr. Mattice requested the rental fees be waived for the three events or to pay a reduced flat fee for each event. The Fee Schedule provided a rental fee of \$75/hour resulting in a rental fee of \$675/day. On May 19, 2021, the Parks Board recommended a reduced flat fee of \$250/day, that organizers provide a port a john, and to remove the trash each day.

Mayor Davis inquired whether Director Stanley recommended changing the rate or adding a ½ day rate to the Fee Schedule. Director Stanley indicated that additional research would be needed before a recommendation made. Commissioner Philpott asked if there were similar events to this one – he was concerned that a waiver or reduced fee would open the door for other requests of the same. Director Stanley shared that this event was formerly the Hook and Bones Tournament. The Town had partnered with organizers of Hook and Bones, but they did not feel they made enough through the partnership. Current organizers have re-structured the event a bit differently. Mayor Pro Tem Tursi inquired how the flat rate was determined and did it cover the cost to the Town. The Town was not actually involved or partnered with current organizers, so there was no cost to the Town. Commissioner Meilleur had the same concerns as Commissioner Philpott. There was discussion on reducing the fee to \$350/day, which was closer to half the original fee.

On a motion by Commissioner Philpott, seconded by Commissioner Meilleur, staff was authorized to reduce the rental fees to \$350 flat rate/event, require a port a john, and trash removal each day by unanimous vote. Staff would research and make recommendation on half day rental fees for the future.

Parks and Recreation Comprehensive Master Plan Update/ Budget Ordinance Amendment #2021-8 – The current Parks and Recreation Comprehensive Master Plan was adopted in 2008. A comprehensive plan should be updated every 10 years to be more attractive for the Parks and Recreation Trust Fund (PARTF) and other federal/state grants. Plans older than 10 years did not receive points for grants opportunities. A comprehensive master plan provided an outline of an illustrative and usable plan to guide the Town of Swansboro Parks and Recreation's Department actions over the next ten years regarding the development of its park facilities, programs, land acquisition needs, and supported the overall mission of the Parks and Recreation Department.

Last year, the Parks and Recreation Department requested \$50,000 to complete an update to the 2008 plan. Due to the pandemic all projects were suspended and were to be reevaluated mid-year. At the beginning of the year, the Board of Commissioners expressed that they would like to see a reduction in the cost to complete an updated plan and requested the department submit a Request for Proposals (RFP). The department submitted an RFP to eight consulting firms and posted on the North Carolina Park and Recreation Association list serve. Five RFPs were submitted to the Parks and Recreation Department. The cost of an updated comprehensive plan ranged from \$28,500 to \$76,000.

As a reminder, \$11,000 was originally allocated for the update to the 2008 Comprehensive Master Plan and then returned by Dr. Hernstein who was unable to complete the work. That \$11,000 would need to be re-allocated and an additional \$19,000 was requested to fund the 2008 Comprehensive Master Plan Update.

On an inquiry from Mayor Davis, Anna Stanley shared that the jump in price from \$11,000 was due to professional firm quotes versus an individual.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, Budget Ordinance Amendment 2021-8 re-allocating the original \$11,000 and allocating an additional \$19,000 (\$30,000 total) was unanimously approved.

Financial Report – April 2021 – Finance Director Johnson reviewed details from the monthly financial report, *attached herein*.

On an inquiry from the Board, Director Johnson shared she would be providing FY 20/21 year-end projections in June. A reliance of approximately \$260K may be needed for year end. Expenditures would exceed revenues for FY 20/21 but, budget amendments adopted throughout the year would cover those overages.

FY 21/22 Budget Discussion – At the May 13, 2021 Budget work session, instructions were given to further reduce the Town's reliance on the fund balance from the \$415,233 level presented at said meeting. Manager Seaberg provided highlights of some of the adjustments:

1. Proposed New Personnel was eliminated to reduce expenses. These positions could be readdressed in the new fiscal year potentially with reimbursements expected from FEMA or even the new American Rescue Plan (ARP) funding through the Federal Government.

- * Planner Tech \$56,042 (previously discussed during the April 26, 2021 Board meeting)

- * Fire Fighter/Driver \$54,690

- * Maintenance Tech \$51,799

- * Total expense for all three positions is \$162,531

Manager Seaberg also noted he would like to allow the new Fire Chief (once on board) an opportunity to share his methodologies on department structure and staffing needs.

2. Public Buildings was reduced \$10,000 under various facilities' R&M

3. Although the Proposed Pay Plan was extremely important, there seemed to be some questions that staff should ensure were satisfactorily answered before finalizing. It was therefore, recommended to hold off on action on this item and replace it with a 2% COLA which reduced the budgeted expenses relative to this item \$27,000. The proposed pay plan could also be readdressed later in the fiscal year.

In total, staff was able to reduce the reliance of fund balance for this FY 2021-2022 Draft Operating Budget from \$415,233 to \$204,494, while still maintaining no property tax increase.

Under the Enterprise Fund, Manager Seaberg recommended modifying the stormwater fee structure as follows to keep the fund self-sufficient. As originally submitted, the fund would rely on the General Fund at approximately \$21,500 for FY 21/22. Research provided that the Town was charging at the low end for stormwater maintenance.

Residential – currently collected under a tier system by impervious square foot; a proposed flat rate of \$5/month/year/residence was recommended.

Commercial – to remain under the current tier system by impervious square foot.

Mayor Davis expressed concern in cutting the Firefighter position. He inquired whether a current parttime position be made fulltime. Manager Seaberg reiterated that he would like to wait and rely on the new Fire Chief methodologies and see if he may have different ideas on staffing. Mayor Davis noted the concern that Chief Tessing had shared on the possibility of a no call and the negative results that could come from a no call report. Mayor Pro Tem Tursi had the same concerns and worried a no call would lead to a higher ISO rating for the Town. He supported keeping the FT Firefighter in the budget and believed \$25,000 in additional cuts could be found, the remaining \$29,690 could be allocated from fund balance. He noted the struggle the staff was in with no tax increase and the staffing needs presented. Commissioner Turner agreed and stated that she did not believe part time positions in the Fire Department was the answer. She was also concerned with the Planner Tech position being cut and the burden that would put on the Manager to cover during the Planner's maternity absence. Mayor Davis suggested moving a parttime position in Fire to fulltime, but Commissioner Turner was not sure that improved the situation when it came to potential no calls. Commissioner Meilleur agreed with Mayor Pro Tem Tursi, believing the Town was digging a hole with year-to-year fund balance reliance. Where could other cuts be made; did we need to reduce services? Commissioner Philpott was also concerned with the potential no call ramifications. He believed some department cuts could still be made. Manager Seaberg offered that he could reduce the budget further by roughly \$12,000 by deferring the website updates. Mayor Davis believed there were other department cuts that could be made; he would however choose the Firefighter over the website update. Mayor Pro Tem Tursi supported the website updates but if a choice had to be made, he would choose the Firefighter. He also suggested that contributions to other organizations might need to be cut in half. Commissioner Pugliese believed the Firefighter position was essential. He asked what R/M (repairs and maintenance) would be reduced or eliminated in Public Buildings. Manager Seaberg noted that the line item was elevated in the prior year due to Hurricane Florence, therefore he reduced it for FY 21/22. He also shared that contributions to the NC Beach Inlet Waterway and dredging had already been cut. Mayor Pro Tem did not believe the budget was "fat," further cuts would be hard to make, and he too was concerned with the Manager having to take on Planning during the Planner absence. He added that it should be evident that a tax increase would be inevitable next year.

The budget message (by law) had to be published by June 1. Direction was given to make additional cuts to assist in funding the Firefighter position. A public hearing on the proposed budget would be scheduled for June 28, 2021.

Future Agenda Items – A memo detailing proposed upcoming agenda items was reviewed and an opportunity for the Board to introduce any new items was given.

Public Comments

Citizens were offered an opportunity to address the Board regarding items not listed on the agenda. No comments were offered.

Manager's Comments

Manager Seaberg gave highlights from the Manager's Brief provided in the agenda packet. Specifically noting the following:

- July 4th Fireworks would be held on July 2nd, use of the island had been secured, staff still needed to assess the island conditions for potential cleanup
- As previously discussed under the Downtown Traffic and Parking Plan Implementation – fourteen crosswalks proposed in the plan. Hatched pavement crosswalks were not something staff would be able to do, therefore, it was recommended that a simple painted crosswalk be done in the interim once the final report was received. If hatched pavement were desired, it would have to be contracted out. Manager Seaberg noted discussion with NCDOT suggested that some parking spaces may be lost as designed. He believed he had resolved their concerns, and none would be lost. Although, the downtown streets were not NCDOT roads, the intersection to NC24 gave NCDOT some input. Mayor Davis asked that the Manager Seaberg follow up with him to make phone calls regarding such.
- Regarding the NC DCM Resilient Coastal Communities Program (RCCP) Grant, the Town needed to appoint a Community Action Team. Manager Seaberg recommended the following members and sought volunteers to serve on the committee. Mayor Pro Tem Tursi volunteered to serve on Community Action Team.

1. Town Manager
2. Town Planner
3. 2 representatives from the elected Board
4. 2 representatives from the Planning Board
5. 1 representative from the Flood Management Appeals Board

Wayfinding Signs had arrived, staff was now waiting on the required poles for installation.

Regarding the NC Public Beach and Coastal Waterfront access Grant – staff was still working with Randy Swanson on obtaining the required easement for the future phase of the dockwalk. Construction would most likely take place in the fall with the tourist season now upon us. Mr. Swanson had been busy opening his new restaurant Il Cigno. Commissioner Pugliese shared concern that the cost of lumber was rising. Manager Seaberg offered that project reduction may need to be looked at if prices continued to rise. Commissioner Meilleur inquired whether the kayak launch would remain since Pogies had re-located. Manager Seaberg shared that the kayak launch would be eliminated since Pogies had moved. The launch was a private investment, not part of the grant. The area where the launch was might be able to be another boat slip.

Speaking on price increases, Commissioner Meilleur asked about sidewalk development costs. Manager Seaberg stated that NCDOT appeared to be holding on their quotes for sidewalk development phases so far.

Commissioner Turner asked if an update could be given on the Yacht Club. Now a legal matter, Attorney Parson recommended a closed session update on June 14th.

Emergency Operations Center (EOC) Update - Russell Pearlman of the Wooten Company gave a status report on the EOC structure, also included in the agenda packet. He referred to page 102 of the agenda to explain the sufficiency and/or lack thereof regarding the footing requirements, weight & keeping the building planted during wind speed. The current NC State Building Code was used in their assessment. Most elements were found insufficient.

To determine space/staffing needs both the Fire Chief and Police Chief were interviewed. Page 108 provided Fire Department space needs noting that the subtotal number provided usable room space needs and the ancillary number provided mechanical room space needs etc. In 2030, 11,500 sq ft would be needed and in 2050, 11,700 sq ft. For the Police Department (page 112) in 2030, 6,900 sq ft needed and in 2050, 7,100 sq ft needed.

Commissioner Meilleur asked Mr. Pearlman for an estimated cost for a new building to meet the proposed needs. Mr. Pearlman was not comfortable on a price quote due to price fluctuations, however currently the Town would be looking at roughly \$250/sq ft. Commissioner Meilleur asked if Fire Departments were ever built without bays to house the fire trucks, but Mr. Pearlman said he had never seen one built without the bays.

Mayor Pro Tem Tursi felt the Town should consider a partnership that would allow the County to provide emergency management. Without justification of what the benefit was to the Town for an EOC he could not support a \$ 4 million debt to the taxpayers. Commissioner Meilleur believed the price tag would be much higher than \$4 million. He proposed continuing with the SUMC Agreement for space and leave the equipment in the current structure. Was it worth continuing with the study?

Mayor Davis asked if there would be an analysis of all the options originally discussed in January. Manager Seaberg referenced the brief email from Onslow County Emergency Manager Norman Bryson on the benefits of an EOC in community. The update tonight was not the final report, just an update. The final report would include those options that had been previously given.

While Mayor Pro Tem Tursi understood the space/staff needs provided by both the Fire and Police Chief, he stated that they were not responsible to the taxpayers and reiterated that the final report had to outline why the community needs an EOC. Other Board members agreed, and Commissioner Philpott referred to the original options that offered the idea of a bunker style EOC. Mayor Davis noted that the public safety building did need to be strengthened to keep the staff safe.

Manager Seaberg stressed the importance of the final document. He and Mr. Pearlman believed the Fire and Police Chiefs were realistic in their space/staffing needs. Mayor Pro Tem Tursi supported completing the study but the critical question was what was needed in critical emergencies. Could the existing building be improved to withstand a Category 2 storm? Also, how does the EOC benefit a Town of 3000. Mayor Davis believed it important to protect our public safety employees. Perhaps a presentation by both Chief Tessing and Jackson on why an EOC was needed.

Board Comments

Commissioner Philpott acknowledged that when a tax increase was considered, it would take more than one cent to catch up.

Adjournment

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the meeting adjourned at 7:30pm.

Regular Meeting May 24, 2021



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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 hearings 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.

2

PUBLIC COMMENT

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

3

AGENDA AND CONSENT ITEMS

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

4

BUSINESS NON-CONSENT

Text Amendments - Chapter 160D Amendments

Chapter 160D of the North Carolina General Statutes consolidates current statutes for local development regulations (now in Chapter 160A) into a single, unified chapter, and places these statutes into a more logical, coherent organization. It refines procedures, aligns terminology, and confirms authority that was presumed under old statutes.

The Town held a Public Hearing at its May 10, 2021, regular meeting and in accordance with regulations in place for remote meetings, the Public Hearing was then held open to allow for written public comments for up to 24 hours. No further comments have been submitted.

Action Needed:

- 1) *Close the Public Hearing; and*
- 2) *Motion to approve, deny or table Ordinance 2021-03, and adopt one of the statements of consistency*

Presenter: Jennifer Ansell – Planner

5

BUSINESS NON-CONSENT

Red Fish Tournament Series Rental Fee Reduction Request

Michael Mattice has submitted an event application for the Redfish Madness Tournament Series to be held on June 12, July 10, and August 14, 2021, in downtown Swansboro at the Pugliese Pavilion from 9am-6pm each day. This will be the second year for the tournament series and last year the event brought 45 2-man teams per event to the area. In addition to the tournament, they will offer kids activities, entertainers, and at the August 14 event, they will also host the local CCA Kids Tournament. Organizers expect the series to bring approximately 200 people downtown each day.

The Redfish Madness Tournament pays back 100% of all entry fees to the anglers. They also raise money at each event for local charities. Mr. Mattice is requesting to have the rental fees waived for the three events or pay a reduced flat fee for each event. The Fee Schedule provides a rental fee of \$75/hour resulting in a rental fee of \$675/day.

On May 19, 2021, the Parks Board recommended a reduced flat fee of \$250/day, that organizers provide a port a john, and to remove the trash each day.

Action Needed: *Authorize staff to reduce the rental fees as recommended, require a port a john, and trash removal each day.*

Presenter: Anna Stanley – Parks/Rec Director

6

BUSINESS NON-CONSENT

Parks and Recreation Comprehensive Master Plan Update

The current Parks and Recreation Comprehensive Master Plan was adopted in 2008. A comprehensive plan should be updated every 10 years to be more attractive for the Parks and Recreation Trust Fund (PARTF) and other federal/state grants. Plans older than 10 years do not receive any points for grants requiring an updated plan. A comprehensive master plan will provide an outline of an illustrative and usable plan to guide the Town of Swansboro Parks and Recreation's Department actions over the next ten years regarding the development of its park facilities, programs, land acquisition needs, and will support the overall mission of the Parks and Recreation Department.

Action Needed: Motion to approve Budget Amendment 2021-8 re-allocating the original \$11,000 and allocating an additional \$19,000 to complete an update to the 2008 Comprehensive Master Plan.

Presenter: Anna Stanley – Parks Director

7

BUSINESS NON-CONSENT

Financial Report

Presenter: Sonia Johnson – Finance Director

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**TOWN OF SWANSBORO
FINANCIAL REPORT
(AS OF APRIL 30, 2021)**

REVENUES

EXPENDITURES

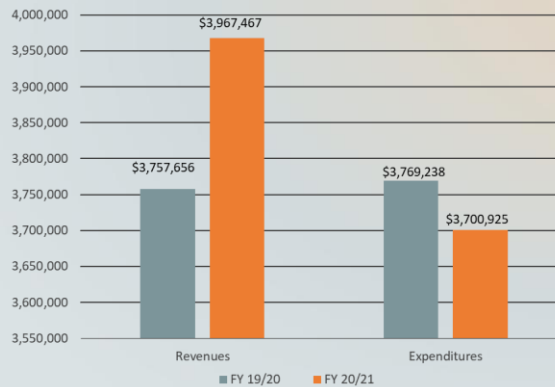
LOAN PAYMENTS

INVESTMENTS

9

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF APRIL 30, 2021)**

GENERAL FUND



ENCUMBRANCES INCLUDED

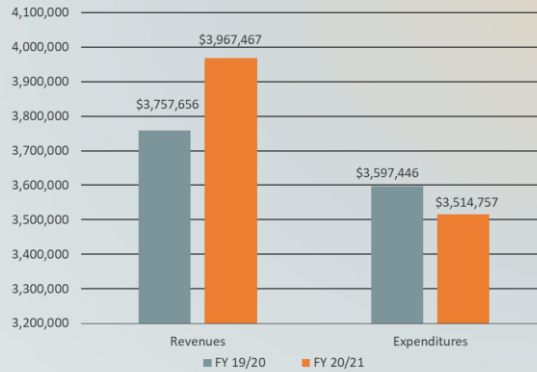
Total Excess of Revenues Over Expenditures **\$266,542**

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**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF APRIL 30, 2021)**

(ACTUAL)

GENERAL FUND



(ENCUMBRANCES NOT INCLUDED)
Total Excess of Revenues Over Expenditures **\$452,710**

11

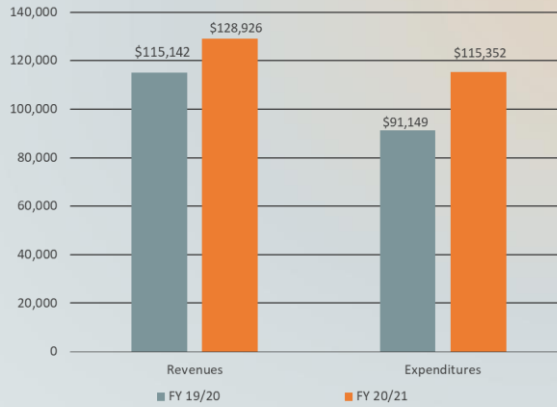
DEPT.	BUDGET	(PAID YEAR TO DATE) ACTUAL	(PURCHASE ORDERS) ENCUMBERED BALANCE	SPENT % April 30, 2021
GOVERNING BODY	14,098	11,355	356	83.1%
ADMIN SERVICES	429,255	343,613	9,472	82.3%
FINANCE	300,825	198,367	-	65.9%
LEGAL	42,000	22,938	-	54.6%
PUBLIC BUILDINGS	353,752	276,783	9,707	81.0%
FIRE	909,443	596,102	47,544	70.8%
PERMITTING	223,915	167,875	-	75.0%
POLICE	1,050,863	746,854	17,244	72.7%
PUBLIC WORKS-STREETS	303,916	263,439	3,760	87.9%
POWELL BILL-STREETS	90,318	19,262	63,054	91.1%
PARKS & RECREATION	341,304	220,898	14,776	69.1%
CHURCH STREET DOCK	8,230	4,841	-	58.8%
EMERGENCY MANAGEMENT	169,212	144,510	20,912	97.8%
FESTIVALS & EVENTS	95,451	4,316	(675)	3.8%
NON DEPARTMENTAL	510,206	493,603	17	96.7%
TOTAL	4,842,788	3,514,757	186,168	76.4%

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**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF APRIL 30, 2021)**

STORMWATER ENTERPRISE FUND

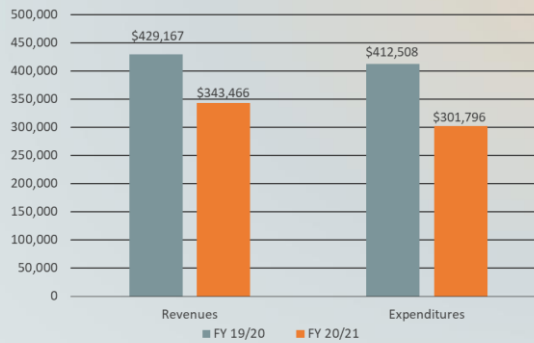


ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **\$13,574**

13

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF APRIL 30, 2021)**

SOLID WASTE ENTERPRISE FUND



ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **\$41,670**

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**TOWN OF SWANSBORO
LOAN REPORT
(AS OF APRIL 30, 2021)**

Item	Principal Balance	Interest Rate	End Date	Annual Debt Service
Town Hall/Tanker	\$534,076	2.69	03/21/2028	\$84,724
Public Safety Facility	\$160,000	2.58	12/22/2024	\$45,160
Fire Truck	\$265,418	2.08	11/01/2026	\$47,512
Equipment/Vehicles	\$50,832	1.87	11/01/2021	\$51,783
Sleeping Quarters	\$150,000	2.43	12/14/2026	\$29,253
Grapple Truck/Town Hall Generator	\$227,700	1.72	6/25/2025	\$47,917
Total Debt	\$1,388,026			\$306,349

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**TOWN OF SWANSBORO
CASH & INVESTMENTS REPORT
(AS OF APRIL 30, 2021)**

CASH & INVESTMENTS

BANK	BALANCE	INTEREST RATE
First Citizens Bank	\$4,104,854	.03%
NC CMT-General	\$160,095	.01%

16

Any Questions

?

17

BUSINESS NON-CONSENT

FY 21/22 Budget Discussion

At the May 13, 2021, Budget work session, instructions were given to staff to further reduce the Town's reliance on the fund balance from the \$415,233 level presented at said meeting. In total, staff has been able to reduce the reliance of fund balance for this FY 2021-2022 Draft Operating Budget from \$415,233 to \$204,494, while still maintaining no property tax increase.

Action Needed: If this last proposal is acceptable by the Board, staff will complete the necessary measures for the June 28, 2021, Public Hearing so that action may be taken.

Presenter: Chris Seaberg – 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: Paula Webb – Assistant Manager/Clerk

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PUBLIC COMMENT

Citizen opportunity to address the Board.

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MANAGER'S COMMENTS

Chris Seaberg, 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 Laurent Meilleur

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ADJOURN