

**Town of Swansboro
Board of Commissioners
August 23, 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 due to increased COVID19 cases county-wide. 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 given.

Adoption of Agenda

Mayor Davis expressed interest in discussion of Christmas lights and planning assistance. Mayor Pro Tem Tursi asked that discussion on Christmas lights be deferred until the Public Works Director could attend so he was included in discussion. Manager Seaberg added that the budget amendment approved last month would allow for the purchase of additional lights, but quotes were still coming in. Discussion would be better served next month.

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the Agenda (as amended adding discussion for planning assistance) and Consent Items below were unanimously approved through roll call.

Meeting Minutes

June 28, 2021, Regular Meeting Minutes

July 12, 2021, Regular Meeting Minutes

July 26, 2021, Regular Meeting Minutes

Tax Refunds – Vehicle Taxes for:

Gleason, Margaret Wooding	16.86 Tag Surrender
Kidwell, Richard Allen Jr.	16.02 Tag Surrender
Tooker, David Jon	93.77 Tag Surrender
Winkeleer, Christopher Anthony & Barbara Ellen	104.44 Tag Surrender

Public Hearings

Text Amendments - UDO Section 152.016, Definitions of Basic Terms - "Clear-Cutting"

The Board of Commissioners directed staff to work with the Planning Board to develop a definition for clear-cutting as related to the recently adopted amendments regarding land improvement permits and penalty (Ordinance 2021-O4).

On July 19, 2021, the Planning Board reviewed and voted unanimously to recommend approval of a definition for clearcutting and stated it was consistent with the current Comprehensive Plan as it clarified the recently adopted amendment (Ordinance 2021-O4) and specifically with the 2019 CAMA Land Use Plan Update, Section 4, Goals and Objectives, 3, "Prioritize the Natural Environment that is key to Swansboro's Quality of Life."

CLEAR-CUTTING. The alteration and/or improvement of a site when it results in the removal of regulated trees in excess of fifteen (15) per acre and causes the loss of forestland.

Mayor Davis inquired about regulated trees in excess of 15 trees per acre. He understood previously that there was interest in requiring that a minimum of 15 trees be left per acre. Manager Seaberg clarified that the remaining trees did have to be a certain caliper, which would require an inventory before trees were removed. Attorney Parson added that the tree caliper requirement was approved in a previous ordinance. Mayor Davis read the proposed definition that if someone cut more than 15 trees then they were clear-cutting versus requiring that 15 trees be preserved per acre. Attorney Parson gave an example as he understood it. With a 4-acre parcel, 60 trees could be left on 1 acre allowing the rest of the property to be cleared. Mayor Davis believed the previous ordinance was different requiring 15 trees be left per acre. Attorney Parson expressed that this proposed ordinance for consideration tonight only defined clear-cutting; other ordinance language provided details on the minimum trees that must be left when clear-cutting. As an example, he read that if one clear-cuts without submitting a site plan, they would then be required to plant 23 3-inch caliper trees per acre. Commissioner Meilleur felt Attorney Parson clarification was satisfactory. Mayor Pro Tem Tursi asked he if understood correctly then that if a property owner of a wooded lot wished to harvest every tree on the property they would have to file for a permit. Manager Seaberg confirmed this scenario for farmland which fell under a different process/exemption. The intent of the new ordinance and proposed definition was to prevent what happened with Swansgate where the developer clear cut the entire parcel for development. Mayor Pro Tem Tursi reaffirmed then that it was possible for someone to claim harvesting and then develop later. Manager Seaberg said that this scenario was possible. Commissioner Meilleur shared using the Swansgate example,

that there may still be 15 trees per acre, they were just located at the back of the property and along Swansboro Loop Road. Manager Seaberg added that the developer would also be required to add back certain plantings before final development accepted. Commissioner Turner was not convinced the proposed ordinance was restrictive enough. Mayor Pro Tursi noted that the Town could not override state forestry law; but could increase the circumference at breast height measurement of a tree.

The public hearing was opened at 6:00 pm, no comments were heard, and none provided within 24-hours prior to the hearing as provided by Session Law 2021-35. The public hearing was closed at 6:00 pm.

Mayor Pro Tem Tursi moved to approve Ordinance 2021-O8 effectively amending Section 152.016, Definitions of Basic Terms, of the Unified Development Ordinance to add a definition for “clear-cutting” finding the proposed text amendment consistent with the current Comprehensive Plan, and considered the action taken to be reasonable and in the public interest because it further clarified the recently adopted amendment (Ordinance 2021-O4) by adding a definition to Section 152.016, Definitions of Basic Terms, for “clear-cutting”. Further, it was consistent specifically with the 2019 CAMA Land Use Plan Update, Section 4, Goals and Objectives, 3, “Prioritize the Natural Environment that was key to Swansboro’s Quality of Life” and was recommended for approval by the Planning Board. The motion as seconded by Commissioner Turner.

Upon further discussion, Commissioner Philpott questioned whether the definition should simply read as “clear-cutting was the removal of all trees on a parcel of land. Commissioner Meilleur indicated it was not a simple issue and the ordinance did provide some direction/restriction. Mayor Pro Tem Tursi believed the ordinance brought attention and the staff should be trusted to follow through on the counts and size of trees remaining.

The vote was unanimous through roll call.

Business Non-Consent

Emergency Operations Center (EOC) – Fire Chief David Degnan and Police Chief Ken Jackson gave a presentation on the operations and importance of the Emergency operations Center attached herein.

Mayor Davis still questioned whether the Town needed to run an EOC or could the operation be turned over to Onslow County. Chief Jackson stated that the Town absolutely needed to operate its own EOC. He noted that the residents expected the

Town to protect them especially during a hurricane and/or other similar events. Chief Degnan supported Chief Jackson' statements adding that in an emergency we needed to protect our own. Onslow County could not respond to all jurisdictions timely.

Mayor Pro Tem Tursi was concerned about the current EOC location which had been confirmed as unsuitable for a storm above a Category 1. He was also concerned with the \$5 million dollar price tag for building on another site. He questioned whether the Town could partner with the County or other entity if a threat of a Category 2 or higher was emanate - did the EOC have to be in the town limits, could the staff operate from an alternate location, could a regional EOC be built with partners. Chief Degnan did not believe the Onslow County EOC was an appropriate location to operate from. He reminded the Board that the County EOC flooded during Hurricane Florence and Swansboro was also cut off from Jacksonville by flooding. The staff would not be able to respond appropriately to the residents from the Onslow County EOC.

Commissioner Turner inquired about a referendum on the matter. Manager Seaberg said yes, in short, but it would take about 6-months to get a referendum set to run.

Commissioner Meilleur noted that former Fire Chief Tessing had been passionate that the fire trucks needed to be protected also. He wasn't convinced that was a necessity, other vehicles stayed out in the weather during such events. He recommended a separate workshop on them matter and extending the current agreement with Swansboro United Methodist Church for as long as needed.

Commissioner Philpott agreed with the workshop and hearing more about the possible referendum.

Commissioner Pugliese expressed concern with a regional approach and stated that our public safety staff needed to be close enough to respond to our residents when needed. He would also like more info on the referendum possibility.

Finance Report – July 2021 – Finance Director Johnson reviewed details from the monthly financial report, *attached herein*. Departments with higher expenditure percentages were due mainly to purchase order encumbrances, annual contributions, and dues.

Director Johnson also shared that 50% of the American Rescue Plan (ARP) funds had been received. Staff was still working to determine the allowable uses for the funds. Once that was determined they would bring recommendation for expenditures back to the Board.

Manager Seaberg reintroduced the need for a Planner Tech to assist with planning needs, especially with the Planner out on maternity leave. It has proven to be more than the Manager can handle with other day to day duties. A fulltime Planner Tech would cost roughly \$50K. Another option was to hire a consultant; the concern being that a consultant would not know the Town' codes and it would take several months to become familiar with them.

Mayor Davis inquired whether the position would be needed fulltime or part time after the Planner returns from maternity leave. Manager Seaberg noted the position had been requested for two years now at a fulltime level.

Commissioner Turner agreed the position was needed with all the Town had going on. She shared concern on whether anyone would apply; no one it seemed wanted to work anymore. Was there anyone on staff now that could be dual trained. Manager Seaberg did not believe anyone on staff had the training needed for planning. Planner Ansell was due to return October 4, 2021.

Mayor Davis supported part time. Mayor Pro Tem Tursi spoke to his original comments during budget discussion that the Manager would struggle to wear both hats. He also had no doubts the position was needed but believed it best to hire the position temporarily for now and re-visit it during FY 22/23 budget discussions.

Commissioners Pugliese, Meilleur and Philpott all agreed to hire temporarily and re-visit at next budget cycle. With the consensus, Manager Seaberg asked if there was a cap on funding. He was directed research costs for a temporary resource and bring it back to the Board. Commissioner Turner reminded the Manager and Board that if someone were hired to do the same job the Planner did, you must pay that person the same rate of pay; adding that a consultant might be the best scenario.

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.

Discussion of Christmas Lights would be added to the September 13, 2021 Agenda.

Commissioner Philpott was interested in moving forward on the two sign matters. No other comments were offered.

Public Comments

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

Manager Report

Manager Seaberg highlighted certain items from the Manager's Brief provided in the agenda packet.

Swansboro Causeway Living Shoreline Project – Although still in the discussion phase, the project was moving forward. NCDOT and NC Coastal Federation had partnered on a National Fish and Wildlife Foundation Grant to install a proposed living shoreline to areas exposed to the White Oak River. In Swansboro, the site was across NC 24 from the Swansboro Yacht Club.

Emergency Operations Center – Manager Seaberg commented that the SUMC site would simple be a location for staff to “weather the main part of the storm.” Communications in the building were nonexistent. Once the storm subsided, the staff would return to the Public Safety Building to complete damage assessments, etc.

Priority 2 Sidewalks – materials had been ordered but not delivered, causing a delay in the start for phase 2. Financial support from Senator Lazarra and Representative Cleveland was in the works.

Downtown Traffic Pattern Project - was slated to finalize after the Mullet Festival.

Board Comments

Board members expressed appreciation to staff for EOC presentation.

Adjournment

On a motion by Commissioner Philpott, seconded by Mayor Pro Tem Tursi, the meeting adjourned at 7:20pm.

Regular Meeting August 23, 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 is one (1) 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

PUBLIC HEARING

Text Amendment - UDO Section 152.016, Definitions of Basic Terms - "Clear-Cutting"

The Board of Commissioners directed staff to work with the Planning Board to develop a definition for clear-cutting as related to the recently adopted amendments regarding land improvement permits and penalty (Ordinance 2021-O4). On July 19, 2021 the Planning Board reviewed and voted unanimously to recommend approval of a definition for clear-cutting and stated it is consistent with the current Comprehensive Plan as it clarifies the recently adopted amendment (Ordinance 2021-O4) and specifically with the 2019 CAMA Land Use Plan Update, Section 4, Goals and Objectives, 3, "Prioritize the Natural Environment that is key to Swansboro's Quality of Life."

Action Needed:

- 1) Hold the public hearing; and
- 2) A motion to approve Ordinance 2021-O8 amending Section 152.016, Definitions of Basic Terms, of the Unified Development Ordinance to add a definition for "clear-cutting".

Presenter: Chris Seaberg – Town Manager

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BUSINESS NON-CONSENT

Emergency Operations Center Presentation

Presenter: David Degnan – Fire Chief

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Emergency Operations Center

7

Introduction

The routine, day-to-day management of government differs greatly from emergency operations

During an emergency, effective decision-making relies on leaders' ability to collect emergency related information, which requires close coordination between key officials from a variety of agencies and departments

Having a central facility, such as an Emergency Operations Center , from which leaders can coordinate and direct emergency efforts is essential for emergency response and recovery

8

What is an EOC?

An EOC is a physical location from which leaders of a jurisdiction or organization coordinate information and resources to support on-scene operations

An EOC may be housed in a temporary facility or in a permanently established, central facility

EOC teams' structure and composition can vary widely

9

Security



EOC's should be located in an area that is easy to secure



Staff security in addition to protecting communications and support systems are particularly critical

10

Expandability



Leaders should select the EOC site with long-term growth in mind, particularly in smaller towns and rural areas



As a result, EOC sites should be expandable to meet different contingencies

11

Mitigation Considerations and Natural Hazards



Most potential EOC sites have one or more potential natural hazards



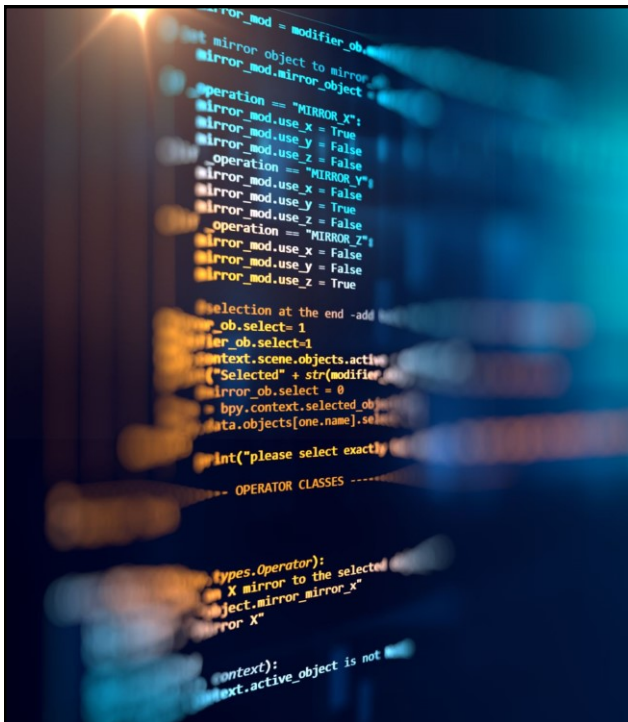
Jurisdictions should consider natural hazards and select a location that minimizes their potential impact and improves operational resilience

12



An ECO's key activities include the following

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- Authorizing EOC activation
- Directing EOC Operations
- Gathering and providing information
- Identifying and addressing issues
- Providing internet connectivity
- Ensuring interoperable communication capabilities
- Response & future planning
- Demobilizing EOC

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Each key activity comprises critical tasks. In turn, each critical task has resource requirements



These resources requirements drive EOC design



A crucial step in designing and EOC is to determine which capabilities are necessary for the EOC and to use this information to establish design criteria

15

Personnel

EOC's need to house adequate staffing specific to each emergency

Hurricane Florence required a complete recall of all police, fire and EMS staff

Early on, it became clear that the space intended for normal business was inadequate to effectively meet the needs for this emergency

A makeshift EOC was established, but was ineffective due to complete loss of communications and limited facilities

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Equipment

EOC's should have the ability to control and dispatch personnel, vehicles and equipment within their jurisdiction

Hurricane Florence caused flooding to major roadways, effectively cutting Swansboro off from outside resources

Town resources can be utilized quickly and efficiently to clear debris from roadways

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Sustained Operations



18

Hallmarks of an EOC



An EOC is a coordination structure for collection, analyzing, and sharing information



An EOC supports resource needs and requests, including allocation and tracking



The current public safety building does not house the appropriate infrastructure to support command and control operations over a normal event

19

Site Selection and Vulnerability

The biggest consideration in EOC site selection is avoiding potential hazards

It would be counterproductive to locate the EOC in flood plains, on earthquake faults, or in high-risk structures, where they may sustain damage during the very incidents they need to respond to

The Onslow County EOC was compromised by flooding and itself was evacuated

20

Central Location and Proximity to Key Personnel



To enable a fast response to all parts of the jurisdiction, leaders should locate the EOC in the best location to meet response needs



The location of the EOC should enable local officials and response personnel to respond quickly to the following

21

Traffic Flow and Congestion

- Ideally, the EOC will be located in an area with limited traffic, so that routine congestion cannot affect EOC operations



22

Accessibility

- For ease of access during an incident, locate the EOC near an adequate road network



23

Parking

The EOC should provide adequate parking

The current parking area for public safety vehicles is congested and is not designed for easy flow to and from the roadway

Planners should ensure that the site can accommodate more than the number of vehicles anticipated during full activation

24

Communications

The EOC locations should provide strong radio transmission and reception

The current public safety building is not safe to staff in any hurricane rated over a category 1

The alternate EOC site does not have dedicated communication equipment and will require external modifications

25

Security



If possible, locate the EOC in an area that is easy to secure



Keeping EOC staff safe and protecting communications and support systems are particularly critical



Carefully plan security solutions to maintain the aesthetic quality of the EOC's surroundings so that residents and visitors feel welcome, comfortable, and safe



There are little to no safeguards in place in the current building to protect staff and sensitive equipment

26

Expandability



Leaders should select the EOC site with long-term growth in mind, particularly in smaller towns and rural areas



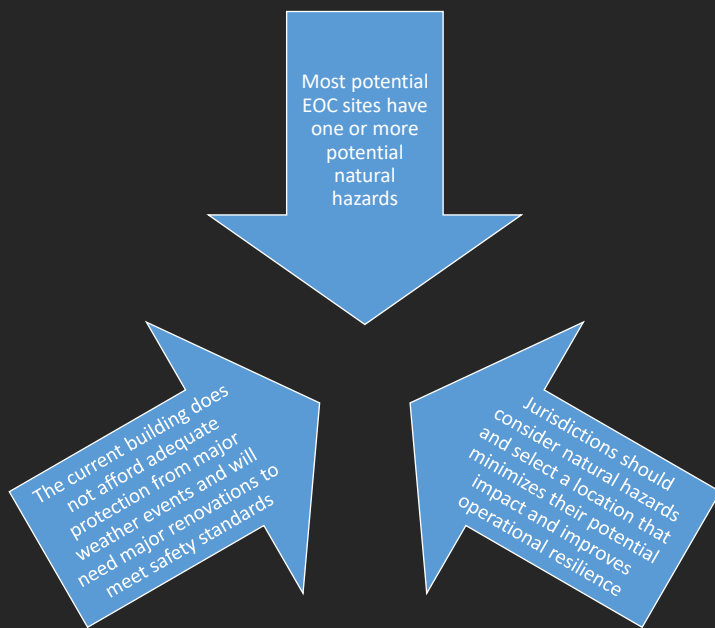
EOC space needs will vary based on the type of emergency or the stage of response



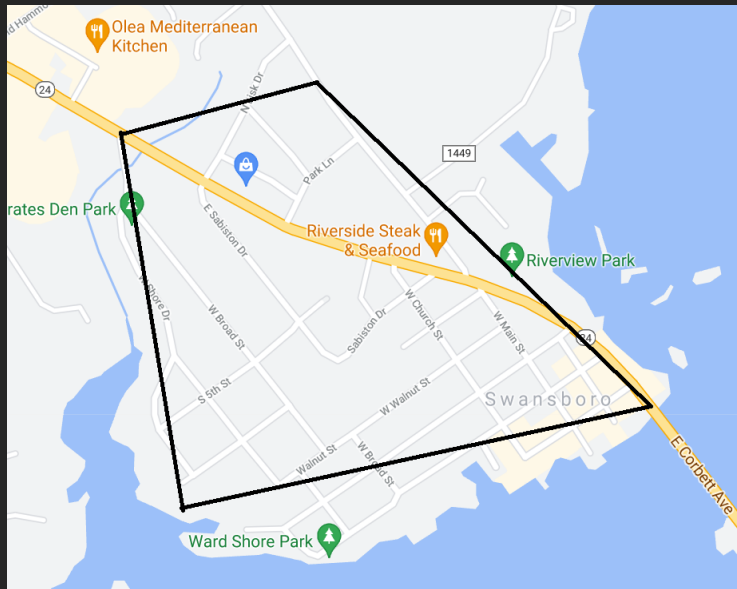
As a result, EOC sites should be expandable to meet different contingencies

27

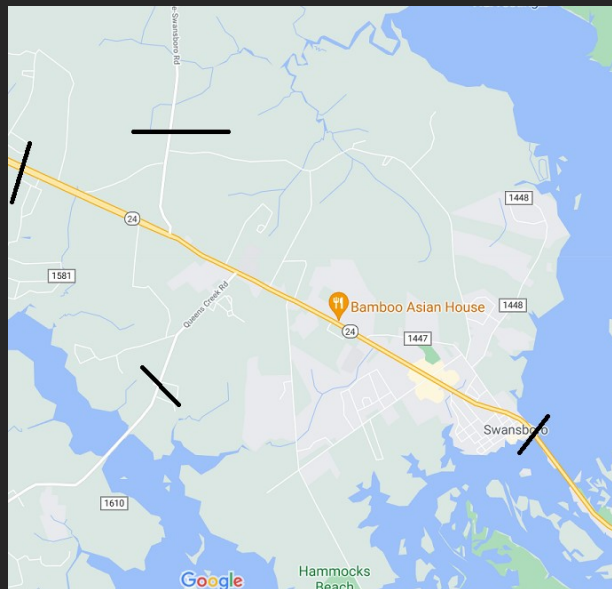
Mitigation Considerations and Natural Hazards



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Space requirements

Planners should consider both minimum and maximum staffing levels, including staff necessary to sustain 24-hour operations

Staffing number should include any liaisons from other agencies or levels of government who may arrive in response to an incident

The current setup for the EOC is rudimentary and is not isolated from normal foot traffic and business operations

31

Additional Personnel Space Requirements

Planners should consider the need for support services, restroom space, and a meeting space

The current building is only capable of sleeping eight personnel

Kitchen and bathroom facilities are limited and do not afford adequate space for the increased number of personnel required for a major event

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BUSINESS NON-CONSENT

Monthly Financial Report - July 2021

Presenter: Sonia Johnson – Finance Director

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TOWN OF SWANSBORO FINANCIAL REPORT (AS OF JULY 31, 2021)

REVENUES

EXPENDITURES

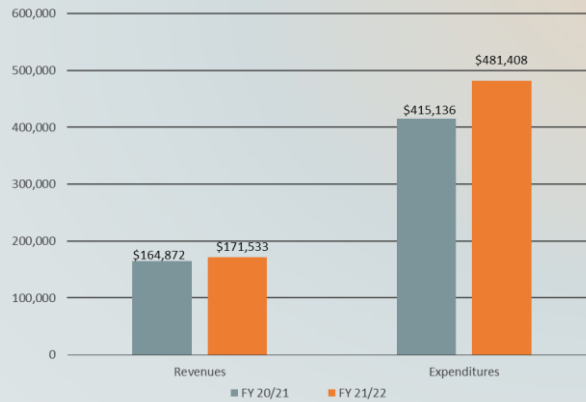
LOAN PAYMENTS

INVESTMENTS

34

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JULY 31, 2021)**

GENERAL FUND



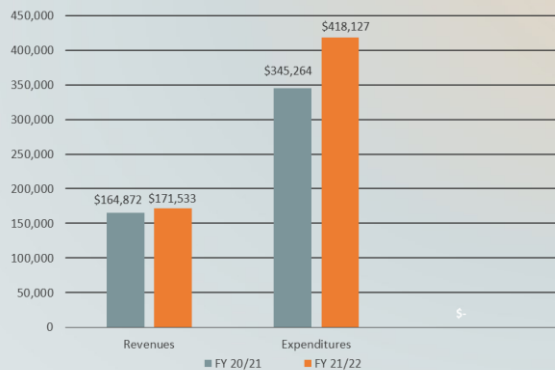
ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **(\$309,875)**

35

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JULY 31, 2021)**

(ACTUAL)

GENERAL FUND



(ENCUMBRANCES NOT INCLUDED)
Total Excess of Revenues Over Expenditures **(\$246,594)**

36

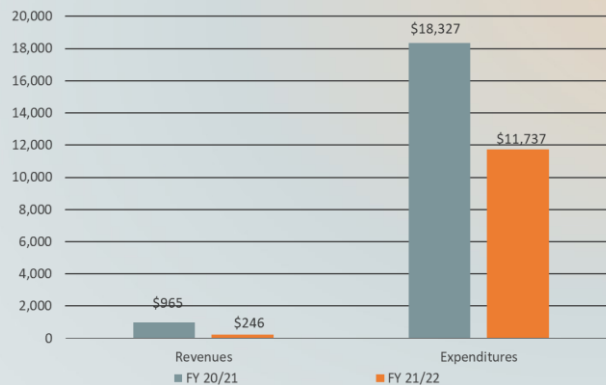
DEPT.	BUDGET	(PAID YEAR TO DATE) ACTUAL	(PURCHASE ORDERS) ENCUMBERED BALANCE	SPENT % July 31, 2021
GOVERNING BODY	27,422	5,101	1,469	24.0%
ADMIN SERVICES	395,302	30,298	1,274	8.0%
FINANCE	253,881	21,857	-	8.6%
LEGAL	42,000	-	-	0.0%
PUBLIC BUILDINGS	406,657	10,491	23,660	8.4%
FIRE	796,411	49,492	11,225	7.6%
PERMITTING	259,117	18,946	141	7.4%
POLICE	1,043,180	78,049	1,198	7.6%
PUBLIC WORKS-STREETS	163,983	7,105	5,964	8.0%
POWELL BILL-STREETS	88,950	558	2,300	3.2%
PARKS & RECREATION	295,040	22,068	12,982	11.9%
CHURCH STREET DOCK	13,786	108	500	4.4%
EMERGENCY MANAGEMENT	52,110	-	-	0.0%
FESTIVALS & EVENTS	117,804	21,317	762	18.7%
NON DEPARTMENTAL	365,896	152,738	1,805	42.2%
TOTAL	4,321,539	418,127	63,281	11.1%

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**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JULY 31, 2021)**

STORMWATER ENTERPRISE FUND

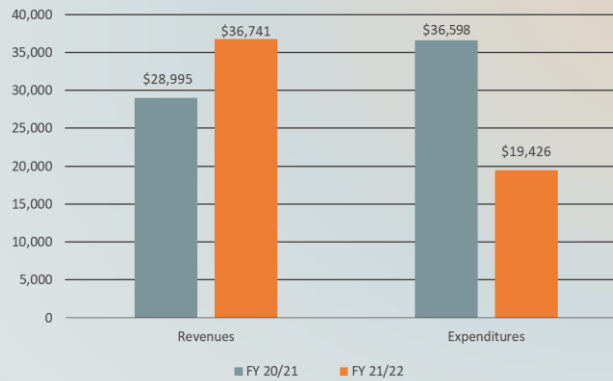


ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **(\$11,491)**

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**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JULY 31, 2021)**

SOLID WASTE ENTERPRISE FUND



ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **\$17,315**

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**TOWN OF SWANSBORO
LOAN REPORT
(AS OF JULY 31, 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	\$183,700	1.72	6/25/2025	\$47,917
Vehicles(Police & Fire Department) & Software	\$110,700	1.84	7/15/2026	\$23,377
Total Debt	\$1,454,726			\$329,726

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**TOWN OF SWANSBORO
CASH & INVESTMENTS REPORT
(AS OF JULY 31, 2021)**

CASH & INVESTMENTS

BANK	BALANCE	INTEREST RATE
First Citizens Bank	\$3,814,943	.03%
NC CMT-General	\$530,518	.01%

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Any Questions

?

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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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ITEMS MOVED FROM CONSENT

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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

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