

**Town of Swansboro  
Board of Commissioners  
October 25, 2021 Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Larry Philpott, Commissioner Harry PJ Pugliese, and Commissioner Laurent Meilleur who arrived at 5:49pm. 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.

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**Call to Order/Opening Prayer**

The meeting was called to order at 5:30 pm. Mayor Davis gave the invocation. A role call was taken, and all were present except Commissioner Meilleur, who arrived at 5:49pm.

**Public Comment**

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

**Adoption of Agenda**

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the Agenda and Consent Items below were unanimously approved through roll call.

Vehicle Tax Refunds

Kent, Bridget Ann \$2.77 Tag Surrender

Hamilton, Moulton III \$193.81 Tag Surrender

**Public Hearing**

*Petition for Voluntary Annexation- the Public Right-of-Way Portion of Pine Bluff Road (Butch Brothers, LTD) – Butch Brothers LTD sought annexation for the public right-of-way entrance from Pine Bluff Road into Shipwright's Point to assure proper maintenance. The consolidated real property was zoned R20SF and located within the ETJ – contiguous to the town limits.*

In accordance with Board Policies 9 & 10, the petition was investigated, and a public hearing scheduled for October 25, 2021. Once annexed and street acceptance finalized, the Town will maintain that portion annexed.

Mayor Pro Tem Tursi inquired if the road would be constructed to Town standards, which was confirmed.

The public hearing was opened at 5:36 pm. No comments were offered, and the hearing was closed.

On a motion by Commissioner Turner, seconded by Commissioner Philpott Ordinance 2021-O9 annexing the Public Right-of-Way Portion of Pine Bluff Road as described by its legal description and all exhibits into the Swansboro Town Limits, effective October 25, 2021 was unanimously approved by those present.

### **Business Non-Consent**

#### *Budget Ordinance Amendment #2022-4*

1. Parks & Recreation: In FY 20/21, the BOC approved the Comprehensive Master Plan Update, and the funds were transferred to the Capital Reserve account. Requesting to transfer \$30,000 to the General Fund for its intended purpose.

Source of funds: Transfer from Capital Reserve

2. Public Works: In FY 18/19 the Board approved the lease of a mini excavator for a three-year term due to expire on 11/15/2021. Staff recommended returning the equipment due to its overall unsatisfactory performance and to secure a lease with a new vendor. The annual lease amount was included in the current budget. Below were the cost estimates to lease the equipment and purchase options for consideration. Staff recommended the John Deere based on the horsepower, digging depth, maximum hydraulic flow, and the weight of the equipment.

| Vendor        | Term | Annual Hours | Lease Payment | Purchase Option | Sell Price |
|---------------|------|--------------|---------------|-----------------|------------|
| Ascendum      | 36   | 500          | \$1,341       | \$42,500        | \$78,992   |
| John Deere    | 36   | 600          | \$1,440       | \$38,600        | \$80,664   |
| Gregory Poole | 36   | 500          | \$1,265       | \$41,055        | \$84,082   |

During discussion, all Board members favored purchasing over leasing. Public Works Director Jim Stipe was fine with either, but preferred purchase if the Board was inclined to purchase outright. Finance Director Johnson explained that she prepared the memo based on the terms as budgeted by former Manager Seaberg. The payment structure shared above was a monthly lease payment. It was noted that for the first 2 years, the maintenance and warranty would be the same whether leased or purchased. As prepared, the lease amount was for 36 months and then the purchase option (\$38,600) which would total \$90,440. The life expectancy on equipment such as this was 15 years and would be used for street and stormwater projects so the cost could be spread out over multiple departments. Financing terms could also be sought, noting that

installment loans could be approved for up to 5 years without Local Government Commission (LGC) approval.

Board members remained supportive of purchasing the equipment outright and adding the extended warranty. Finance Director Johnson clarified that the budget amendment amount would need to be \$63,384 plus whatever the amount was for an extended warranty (which was unknown but desired). The remaining \$17,280 was already budgeted (as lease payments by former Manager Chris Seaberg). A memo to the Board on the exact amount for the extended warranty could be provided later.

3. Parks & Recreation: In FY 20-21, the Parks and Recreation Department received grant funds totaling \$5000 towards the purchase of security cameras for the Municipal Park and Recreation Center. The full cost of the cameras was \$13,498. Installation of the cameras would improve risk management efforts to reduce theft, vandalism, and protect the Town's employees directly and indirectly. A fund balance appropriation of \$8,498 would be needed to complete the purchase. The deadline to purchase the cameras under the grant terms was November 18, 2021. Note: In discussion with NC Pro, a reimbursement may be eligible under the ARP Funding once final rulings were given. If eligible, the \$8,498 would be returned to the Fund Balance. Source of funds: Grant Various-\$5,000 and Appropriated Fund Balance-\$8,498

On questions from the Board, Parks Director Anna Stanley confirmed that the cameras would be provide live action from a computer, and recordings would be stored for roughly 3 weeks.

On a motion by Commissioner Philpott, seconded by Commissioner Pugliese Budget Ordinance Amendment #2022-4, as amended during discussion above was unanimously approved. The Interim Manager was authorized to execute necessary documents for the equipment purchase and extended warranty. The extended warranty amount would be shared with the Board in a later memo. The vote was unanimous. It was noted that Budget Amendments were attached to the meeting minutes at Town Hall if reference was ever needed.

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

*Future Agenda Items* – Future agenda items for the coming month 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.

During discussion, the Board agreed that the staff should proceed with working with the Historic Preservation Commissioner and Planning Board on the items noted in the special meeting held on September 21, 2021 joint meeting between the HPC and BOC. The Board would like regular updates on the progression of those items.

The Board discussed meeting in person again and agreed to return to full in-person meetings on November 22, 2021. Due to the December 27, 2021 meeting falling on a Town Holiday, that meeting was cancelled.

Signs was to be scheduled as a top priority topic for 2022.

### **Public Comments**

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

### **Manager's Brief**

- **Public Safety Building Restoration/Relocation Planning Project** – The transfer switch at Swansboro United Methodist Church had been installed. In the event the Town should have to exercise the MOU with Swansboro United Methodist Church, a trailerable generator could be used if needed. Chief Jackson and Assistant Manager Webb spoke today about arranging a field trip for those Board members interested in viewing the space at SUMC.
- **NC DCM Resilient Coastal Communities Program (RCCP) Grant** – On October 20, 2021, Jennifer Ansell and Paula Webb met with Dewberry Representative Beth Smyre who was ready to begin committee meetings. You may recall the committee was formed and consisted of the Manager, Planner, Mayor Pro Tem Tursi, Scott Chadwick, Christina Ramsey, and John Freshwater. A tentative meeting was scheduled for November 17, 2021.
- **Downtown Traffic and Parking Plan Implementation:** Implementation of the new traffic pattern should be done late November/early December. The temperature must still be warm enough for the paint to dry. A news release on the traffic movement changes will be prepared and distributed so that our residents and visitors are alerted to the upcoming changes. Board members expressed the importance of educating the downtown merchants and visitors. A team approach to include additional patrols would be used during implementation.
- **FY 2020 Stormwater Outfall Retrofit Project – Walnut Street** – Former Manager Seaberg and Assistant Manager Webb met with the Coastal Federation Engineer

September 23rd. While there, adjacent property owner Sherwood Odum walked up and was very supportive of the project. According to the engineer the project was still slated for completion in FY 21/22.

- **Sidewalk Projects**

- o Priority 1 - Sidewalk installation along NC-24 (Corbett Ave) from SR 1511

- (Hammocks Beach Rd) to SR 1514 (Phillips Loop Rd); \$120,000 - **Completed**

- o Priority 2 - Old Hammocks Beach Rd from SR 1513 (Deer Island Rd) to existing sidewalk near Fredericka Ln; \$335,000 - NCDOT has begun laying pipe along Old Hammock Road. Eight required easements were prepared and mailed out October 8, 2021 – pending receipt. For clarification, only one required easement to complete sidewalks to Fredricka Ln was received today. If additional funding awarded, there was interest to further extend the sidewalk to join the Catholic Church sidewalk. Other easements required.

- o Priority 3 - SR 1511 (Hammocks Beach Rd) from Moore's BBQ sidewalk to Park Place Dr \$125,000 - *NOTE: we have not prepared survey/design on this section yet, so costs may vary more related to this priority* - Six required easements have also been mailed (October 8, 2021) for this phase – pending receipt.

- **International Organization for Standardization** - An ISO Inspection was conducted by the Department of Insurance Office of State Fire Marshal (OSFM) at the Fire Department earlier this week. This inspection is conducted every 5-7 years and is meant to score a fire department's ability to protect the community. ISO stands for Insurance Services Office (ISO), which is an independent, for-profit organization. The ISO scores fire departments on how they are doing against its organization's standards to determine property insurance costs. After analyzing the data collected, the Town then receives a Public Protection Classification (PPC) on a scale from 1 to 10. The higher the ISO fire protection class (with Class 1 being the best), the "better" the department. The Town's current rating was a 4.

Chief Degnan was confident the Town did well and wished to thank the current Administration, former Chief Mark Tessing and the department members for their hard work and dedication in maintaining a premier Fire and EMS agency. We should have the results in about 2 months.

### **Board Comments**

Commissioner Pugliese – thanked the staff and volunteers who worked to make the 2021 Mullet Festival a success.

Mayor Davis – echoed Commissioner Pugliese comments on the Mullet Festival and gave a shout out to Anna Stanley, Robbie Fellows and other staff who made the Halloweenie Roast last Friday a great experience.

### **Closed Session**

On a motion by Commissioner Philpott, seconded by Commissioner Turner 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.

Pursuant to a motion duly made in closed session, the Board returned to open session. No further action was taken.

### **Adjournment**

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott, the meeting adjourned at 7:10pm.

# Regular Meeting October 25, 2021



1

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 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.

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

## Petition for Voluntary Annexation- the Public Right-of-Way Portion of Pine Bluff Road (Butch Brothers, LTD)

As the developers of Shipwrights Point near the final development phase, the maintenance of the entrance from Pine Bluff Road was in question. Options included annexing that portion of the Right-Of-Way or an agreement between the developer and owners-Butch Brothers, LTD for maintenance. Butch Brothers LTD has petitioned to voluntary annex consolidated real property known as the Public Right-of-Way Portion of Pine Bluff Road associated with the Shipwright's Pointe Subdivision. The consolidated real property is zoned R20SF and is currently located within the ETJ – contiguous to the town limits. In accordance with Board Policies 9 & 10, the petition has been investigated and a public hearing scheduled for October 25, 2021. The petition meets the requirements of law. Once annexed and street acceptance is completed, the Town will maintain that portion annexed.

**Action Needed:** 1) Hold a public hearing; and  
2) Motion to adopt Ordinance 2021-09 annexing the Public Right-of-Way Portion of Pine Bluff Road as described by its legal description and all exhibits into the Swansboro Town Limits effective October 25, 2021.

**Presenters: Paula Webb – Assistant Manager/Clerk**

5

# NEW BUSINESS/NON-CONSENT

## Budget Amendment 2022-4

1.Parks & Recreation- In FY 20/21, the BOC approved the Comprehensive Master Plan Update, and the funds were transferred to the Capital Reserve account. Requesting to transfer \$30,000 to the General Fund for its intended purpose.

Source of funds: Transfer from Capital Reserve

2.Public Works-In FY 18/19 the Board approved the lease of a mini excavator for a three year term due to expire on 11/15/2021. Staff is recommending to return the equipment due to its overall equipment performance and to secure a lease with a new vendor that has all the necessary equipment specifications needed to serve its intended purpose. The annual lease amount is included in the current budget. Below are the cost estimates for the lease of said equipment and purchase options for consideration.

Staff recommends the John Deere based on the horse power, digging depth, maximum hydraulic flow and the weight of the equipment.

| Vendor        | Term | Annual Hours | Lease Payment | Purchase Option | Sell Price |
|---------------|------|--------------|---------------|-----------------|------------|
| Ascendum      | 36   | 500          | \$1,341       | \$42,500        | \$78,992   |
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3.Parks & Recreation: In FY 20-21, the Parks and Recreation Department received grant funds totaling \$5000 towards the purchase of security cameras for the Municipal Park and Recreation Center. The full cost of the cameras is \$13,498. Installation of the cameras will improve risk management efforts to reduce theft, vandalism, and protect the Town's employees directly and indirectly. A fund balance appropriation of \$8,498 would also be needed. The deadline to purchase the cameras under the grant terms is November 18, 2021. Note: In discussion with NC Pro, a reimbursement may be eligible under the APR Funding. If eligible, the \$8,498 would be returned to the Fund Balance.

Source of funds: Grant Various-\$5,000 and Appropriated Fund Balance-\$8,498

**Action Needed:** Motion to approve Budget Amendment 2022-4 to include directing the Interim Manager to execute, at the appropriate time, any instruments necessary to execute lease and if purchase is considered, follow purchasing requirements outlined in the NCGS.

**Presenter: Sonia Johnson – Finance Director**

6

# BUSINESS NON-CONSENT

## Monthly Financial Report - September 2021

**Presenter: Sonia Johnson – Finance Director**

7

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

REVENUES

EXPENDITURES

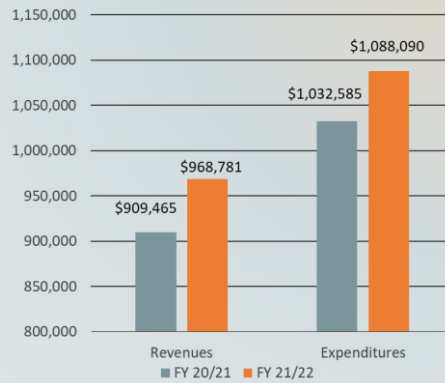
LOAN PAYMENTS

INVESTMENTS

8

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

**GENERAL FUND**



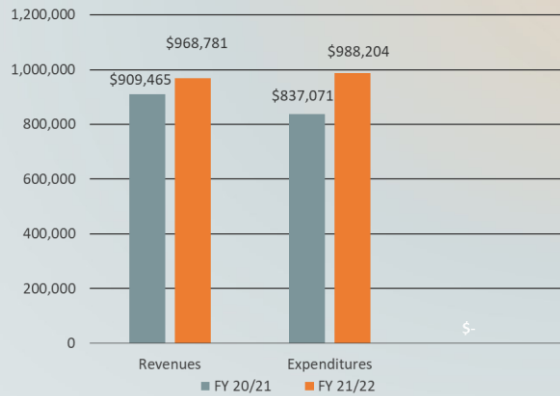
**ENCUMBRANCES INCLUDED**  
Total Excess of Revenues Over Expenditures **(\$119,309)**

9

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

**(ACTUAL)**

**GENERAL FUND**



**(ENCUMBRANCES NOT INCLUDED)**  
Total Excess of Revenues Over Expenditures **(\$19,423)**

10

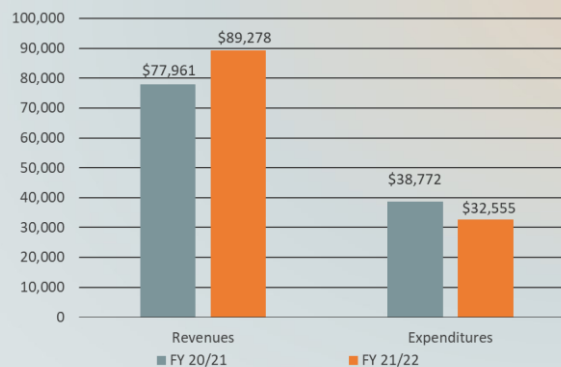
| DEPT.                | BUDGET           | (PAID YEAR TO DATE)<br>ACTUAL | (PURCHASE ORDERS)<br>ENCUMBERED<br>BALANCE | SPENT %<br>September 30, 2021 |
|----------------------|------------------|-------------------------------|--------------------------------------------|-------------------------------|
| GOVERNING BODY       | 27,422           | 7,434                         | 1,254                                      | 31.7%                         |
| ADMIN SERVICES       | 410,302          | 87,132                        | 1,093                                      | 21.5%                         |
| FINANCE              | 253,881          | 63,831                        | -                                          | 25.1%                         |
| LEGAL                | 42,000           | 12,340                        | -                                          | 29.4%                         |
| PUBLIC BUILDINGS     | 406,657          | 47,331                        | 21,189                                     | 16.8%                         |
| FIRE                 | 796,411          | 149,729                       | 10,690                                     | 20.1%                         |
| PERMITTING           | 259,117          | 55,547                        | 141                                        | 21.5%                         |
| POLICE               | 1,043,180        | 229,098                       | 9,700                                      | 22.9%                         |
| PUBLIC WORKS-STREETS | 180,983          | 29,675                        | 19,405                                     | 27.1%                         |
| POWELL BILL-STREETS  | 88,950           | 3,983                         | 4,892                                      | 10.0%                         |
| PARKS & RECREATION   | 295,040          | 62,895                        | 16,888                                     | 27.0%                         |
| CHURCH STREET DOCK   | 13,708           | 800                           | 1,000                                      | 13.1%                         |
| EMERGENCY MANAGEMENT | 66,185           | -                             | -                                          | 0.0%                          |
| FESTIVALS & EVENTS   | 117,804          | 29,755                        | 11,831                                     | 35.3%                         |
| NON DEPARTMENTAL     | 365,896          | 208,653                       | 1,805                                      | 57.5%                         |
| <b>TOTAL</b>         | <b>4,367,536</b> | <b>988,204</b>                | <b>99,886</b>                              | <b>24.91%</b>                 |

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11

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

**STORMWATER ENTERPRISE FUND**

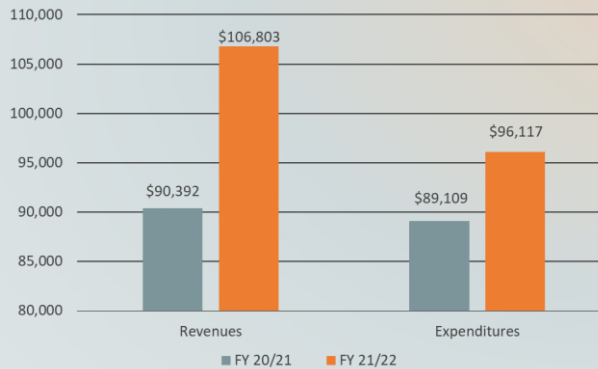


**ENCUMBRANCES INCLUDED**  
Total Excess of Revenues Over Expenditures **\$56,723**

12

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

**SOLID WASTE ENTERPRISE FUND**



ENCUMBRANCES INCLUDED  
Total Excess of Revenues Over Expenditures **\$10,686**

13

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

| Item                                                         | Principal Balance  | Interest Rate | End Date   | Annual Debt Service |
|--------------------------------------------------------------|--------------------|---------------|------------|---------------------|
| <b>Town Hall/Tanker</b>                                      | \$534,076          | 2.69          | 03/21/2028 | \$84,724            |
| <b>Public Safety Facility</b>                                | \$160,000          | 2.58          | 12/22/2024 | \$45,160            |
| <b>Fire Truck</b>                                            | \$265,418          | 2.08          | 11/01/2026 | \$47,512            |
| <b>Equipment/Vehicles</b>                                    | \$50,832           | 1.87          | 11/01/2021 | \$51,783            |
| <b>Sleeping Quarters</b>                                     | \$150,000          | 2.43          | 12/14/2026 | \$29,253            |
| <b>Grapple Truck/Town Hall Generator</b>                     | \$183,700          | 1.72          | 6/25/2025  | \$47,917            |
| <b>Vehicles(Police &amp; Fire Department) &amp; Software</b> | \$110,700          | 1.84          | 7/15/2026  | \$23,377            |
| <b>Total Debt</b>                                            | <b>\$1,454,726</b> |               |            | <b>\$329,726</b>    |

14

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

**CASH & INVESTMENTS**

| BANK                | BALANCE     | INTEREST RATE |
|---------------------|-------------|---------------|
| First Citizens Bank | \$4,363,001 | .03%          |
| NC CMT-General      | \$310,090   | .01%          |

15

*Any Questions*

?

16

# 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**

17

# PUBLIC COMMENT

Citizen opportunity to address the Board.

18

# MANAGER'S COMMENTS

Paula Webb, Interim Manager

19

# BOARD COMMENTS

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

20

## CLOSED SESSION

*Motion to enter break out room for 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.*

21

## ADJOURN

22