

**Town of Swansboro  
Board of Commissioners  
February 11, 2025, Regular Meeting Minutes**

In attendance: Mayor William Justice, Mayor Pro Tem Jeffrey Conaway, Commissioner Pat Turner, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf. The board had one vacancy.

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

The meeting was called to order at 6:00 pm. Mayor Justice led the Pledge of Allegiance.

**Public Comment**

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

**Adoption of Agenda and Consent Items**

On a motion by Commissioner Brown, seconded by Commissioner Turner, the agenda and the below consent items were adopted unanimously.

- November 12, 2024, Regular Meeting Minutes
- November 12, 2024, Closed Session Minutes
- November 26, 2024, Regular Meeting Minutes
- November 26, 2024, Closed Session Minutes
- December 9, 2024, Special Joint Meeting with TDA
- Budget Ordinance Amendment #2025-6
- Tax Refunds totaling \$220.23.

**Vehicle Tax**

Gordon, Carole Ann	\$16.76	Tag Surrender
Isenhardt, Emily Marie	\$17.97	Tag Surrender
Byrd, Fred Raymond Jr.	\$185.50	Duplication

**Appointments/Recognitions/Presentations**

*Oath of Office for Mayor William Justice*

Town Clerk Fender administered the oath of office of Mayor to William Justice to fill the vacant mayor seat which would expire November 2025.

*Oath of Office for Mayor Pro Tem Jeffrey Conaway*

Mayor Justice administered the oath of office for Mayor Pro Tem to Commissioner Jeffrey Conaway.

*Police Department Employee Introduction & Oaths*

Police Chief Taylor introduced Officer Eric Mason. Mayor Justice administered the oath of office.

## **Public Hearing**

### *UDO Text Amendment to § 152.016 Definition of Basic Terms and § 152.267 Computation of Sign Area*

Town Planner Brehmer reviewed that after a discovery of a discrepancy in UDO Sections 152.016 Definitions of Basic Terms for the definition “Sign, Area Of” and 152.267 Computation of Sign Area (C) pertaining to calculating the square footage allowed on a sign, a text amendment to these sections was proposed for consistency.

Planner Brehmer further explained that the previous language in the last two sentences of Section 152.016, under the definition of “Sign, Area Of,” conflicted with Section 152.267(C) regarding how sign area was calculated. Section 152.016 had stated that only one side of a double-faced sign would be counted—unless the copy differed—while Section 152.267 required all visible sign copy to be included. To eliminate the contradiction and align with past enforcement and interpretation, the proposed text amendment revised Section 152.016 to state that both sides of a double-faced sign were included in the area calculation and removed the conflicting sentence. Section 152.267(C) was also amended to read, “The sign area computation shall include all sides of the sign.” This clarified that all sides—regardless of whether the copy was the same—must be counted toward the total square footage allowed. The Planning Board recommended approval of the amendment at their January 7, 2025, regular meeting.

The public hearing was opened at 6:17 pm then closed, no comments were offered.

On a motion by Mayor Pro Tem Conaway, seconded by Commissioner Brown, Ordinance 2025-O3 amending § 152.016 Definition of Basic Terms and § 152.267 Computation of Sign Area was approved unanimously.

## **Business Non-Consent**

### *Street Acceptance Procedures and Update*

Planner Brehmer reviewed that after directions from the Board to give an update on upcoming street acceptance requests as well as procedures currently in place by ordinance and policies for this process, and she clarified the following details.

Steps include submission of a written request by the developer, verification that streets and sidewalks meet construction standards, and submission of stormwater inspection reports confirming that the system was functioning properly and ready for transfer from the developer to the homeowners’ association.

Temporary acceptance procedures and administrative policies were also reviewed and found to be efficient.

Additionally, Planner Brehmer shared that the streets and sidewalks in the Shadow Creek subdivision were officially accepted by the Board in November 2024 after all

requirements were met. She also noted that a request for street and sidewalk acceptance from Swansgate was expected soon. Repairs to the streets outlined in the engineer's report had been completed. The developer was currently waiting on the Army Corps of Engineers to approve moving a wetland line based on a delineation completed by ECS. Once approved, the sidewalk required along Main Street Extension could be installed, allowing the acceptance request to move forward.

There were no questions and no further action taken by the Board.

#### *Discussion of Filling a Vacancy on the Board of Commissioners*

Town Manager Barlow reviewed the conflicting guidelines between the Town Charter and the state general statute regarding how to fill a vacant commissioner seat. According to the Charter, the Board could appoint someone to serve for the remainder of the three-year term. However, the General Statute required an appointment only until the next municipal election, at which point a special election would be held for the remaining two years of the term. Under G.S. 160A-3, the Board had the authority to choose which path to follow, and a majority vote was sufficient to make that determination.

During the discussion, several board members expressed support for an appointment lasting only until the next election, allowing voters to select a long-term representative. Others referenced previous use of the Town Charter and suggested the need to further review how past vacancies were handled. The Board agreed to table the item until the February 25th meeting and requested that staff research and present information on how similar vacancies were handled in the past.

#### *Future Agenda Topics*

Future agenda items were shared for visibility and comments. In addition, an opportunity was provided for the board to introduce items of interest and subsequent direction for placement on future agendas. The following items were addressed:

- Recognition of Trevor Hucal for State Title achievement
- Schedule discussion on paid parking downtown for an upcoming meeting

#### **Public Comment**

Junior Freeman of 714 W. Corbett Avenue offered his congratulations Mayor Justice and Mayor Pro Tem Conaway. Additionally, he encouraged the Board to consider upgrading the meeting room by installing a formal dais, improving the audio-visual system, and reviewing the budget to support those changes. He also suggested they consider increasing their monthly stipend, as a taxpayer he doesn't expect them to serve for nothing.

**Board Comments**

Board members expressed appreciation to staff and citizens for their ongoing support and participation, congratulated newly appointed officials, and emphasized the value of public input during meetings. Several members noted their commitment to being accessible to residents, encouraged attendance at future meetings, and highlighted the importance of fiscal responsibility and public service.

**Adjournment**

On a motion by Mayor Pro Tem Conaway, seconded by Commissioner Turner, the meeting was adjourned at 6:40 pm.

# Regular Meeting February 11, 2025



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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 hearing scheduled for this meeting.

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# PUBLIC COMMENT

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

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# AGENDA AND CONSENT ITEMS

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

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**Oath of Office for Mayor**  
**William Justice**

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**Oath of Office for Mayor Pro Tem**  
**Jeffrey Conaway**

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# **Employee Introduction** **&** **Oath of Office**

**Presenters: Dwayne Taylor – Police Chief and Mayor William Justice**

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## **PUBLIC HEARING**

### **UDO Text Amendment to § 152.016 Definition of Basic Terms and § 152.267 Computation of Sign Area**

After the discovery of a discrepancy in UDO Sections 152.016 Definitions of Basic Terms for the definition “Sign, Area Of” and 152.267 Computation of Sign Area (C) when it comes to calculating the square footage allowed on a sign, a text amendment to these sections is proposed for consistency.

#### **Recommended Action:**

- 1. Hold a public hearing*
- 2. Motion to approve Ordinance 2025-03 amending § 152.016 Definition of Basic Terms and § 152.267 Computation of Sign Area.*

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

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# NEW BUSINESS/NON-CONSENT

## Street Acceptance Procedures and Update

After directions from the Board to give both an update on upcoming street acceptance requests as well as procedures currently in place by ordinance and policies for this process, the purpose of this memo is for clarification and discussion purposes.

**Recommended Action:** *Receive update.*

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

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# NEW BUSINESS/NON-CONSENT

## Discussion of Filling a Vacancy on the Board of Commissioners

On January 28, 2025, William Justice was appointed as mayor to serve until the next municipal election in November 2025, leaving his previous commissioner seat vacant with nearly three years remaining. Conflicting rules in the Town Charter and North Carolina General Statutes create uncertainty about whether the appointed replacement will serve the full remaining term or only until the next election, requiring the Board to decide which law to follow.

**Recommended Action:** *Due to the inconsistencies between the Town Charter and the NCGS a determination of the preferred method to fill the unexpired term of Mr. Justice is necessary.*

**Presenters: Jon Barlow – Town Manager and Francis Rasberry – Town Attorney**

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# NEW BUSINESS/NON-CONSENT

## Future Agenda Items

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

**Recommended Action:** *Discuss and provide any guidance.*

**Presenter: Alissa Fender, MMC – Town Clerk**

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# PUBLIC COMMENT

Citizen opportunity to address the Board.

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## MANAGER'S COMMENTS

Town Manager  
Jonathan Barlow

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## BOARD COMMENTS

Mayor William Justice  
Mayor Pro Tem Jeffrey Conaway  
Commissioner Douglas Eckendorf  
Commissioner Joseph Brown  
Commissioner Patricia Turner

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ADJOURN