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BOARD OF COMMISSIONERS MEETING AGENDA

Town of Swansboro

Monday, June 13, 2022

Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner
Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Jeffrey Conaway, Commissioner

I. Call to Order/Opening Prayer/Pledge

Mayor John Davis

II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda.

There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

III. Adoption of Agenda and Consent Items

Board of Commissioners

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items, which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

Consent Items:

a. Contract

ONWASA Administrative Services Agreement 22/23

IV. Appointments/Recognitions/Presentations

a. Recognition of Swansboro Fire and Police Department

Chief Williams

Hubert Vol. Fire Dept.

b. Employee Introduction

David Degnan

Fire Chief

c. Municipal Finance Month

Mayor John Davis

V. Public Hearing

a. Special Use Permit/522 W. Corbett Avenue

Jennifer Ansell
Planner

The property at 522 W. Corbett Ave is zoned B-2, General Business. Single-family Dwellings are allowed in the B-2 zone with a Special Use Permit. The dwelling at this location was constructed in 1948 and had been used as such until July 2020, when the water was disconnected due to a leak. Ms. Barnes is applying for a Special Use permit to allow the reinstatement of the dwelling use at this location.

Recommended Action: 1) *Hold public hearing;*

2) *A motion to approve or deny the Special Use permit application pursuant to Section 152.210 of the Unified Development Ordinance. In granting a special use permit, the Board of Commissioners shall give due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use is to be located.*

The Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area, ensuring that the use is consistent with the spirit of the ordinance, and shall affix to such permit any reasonable and appropriate conditions as it finds are necessary for any of those purposes.

Upon its determination that all the criteria in Section 152.210 are met, the Board of Commissioners shall enter a written order with findings of fact and conclusions of law and shall issue the special use permit as requested or with such conditions as it finds necessary and appropriate.

b. FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule

Paula Webb
Town Manager

The FY 2022/2023 Annual Budget was originally submitted on May 27, 2022. The budget was prepared in accordance with N.C.G.S. Chapter 159, the North Carolina Local Government Budget and Fiscal Control Act. As required, all funds within the budget are balanced, and all revenues and expenditures are identified for FY 2022/2023.

The total budget is in the amount of \$5,562,883 which represents an increase of 2% from the FY 2021/2022 Amended Budget of \$5,463,305. The tax rate is proposed to remain unchanged at \$0.35 per \$100 valuation. The General Fund Budget for FY 2022/2023 is balanced with \$0 of fund balance.

*Recommended Action: 1) Hold Public Hearing; and
2) Motion to adopt FY 2022/2023 Budget Ordinance w/Tax Rate,
Stormwater Ordinance, Fee Schedule, and Salary Schedule.*

VI. Business Non-Consent

a. Budget Ordinance Amendment #2022-11

Sonia Johnson
Finance Director

The budget ordinance needs to be amended for multiple departments.

*Recommended Action: Motion to approve Budget Ordinance
Amendment #2022-11*

b. Adopting a Grant Project Ordinance for the Swansboro
Bicentennial Park Boardwalk Extension with Public Day
Docks Project

Sonia Johnson
Finance Director

The Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350 with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution.

*Recommended Action: Motion to approve Grant Project Ordinance
for the Swansboro Bicentennial Park Boardwalk Extension with Public
Day Docks Project.*

c. Future Agenda Items

Alissa Fender
Town Clerk

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

VII. Items Moved from Consent

VIII. Public Comment

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

IX. Manager's Comments

Paula Webb

X. Board Comments

Board of Commissioners

XI. Closed Session

Board of Commissioners

Recommended Action: *Motion to enter closed session 143-318.11 (a) (5) to instruct the public body's staff on negotiating terms for property acquisition.*

XII. Adjournment

Board of Commissioners



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **ONWASA Administrative Service Agreement**

Board Meeting Date: **June 13, 2022**

Prepared By: **Alissa Fender, Town Clerk**

Overview:

The Administrative Services Agreement with ONWASA for operation of the satellite office needs to be renewed for the 2022/2023 fiscal year. The renewal agreement is submitted with the same terms/compensation - \$35,000 as previous years.

New items to the agreement from previous years:

#3 - In lieu of providing the services to the Authority set forth in paragraph 1 above, the Town may at time during the term of this Agreement request the Authority to set up a kiosk in the Town to provide services to the citizens. Should this request be made, the Authority shall, as soon as practicable, establish a kiosk in the Town to provide services. Beginning at the end of the month in which a kiosk is established in the Town, all payments provided in paragraph 2 above shall cease, and the Town shall have no further obligation to provide those services set forth in paragraph 1 above.

#7 - This Agreement may be modified only by a written agreement executed by both parties hereto.

#8 - This Agreement is not assignable by either party, by operation of law or otherwise.

#9 - This Agreement sets forth the entire agreement between the Authority and the Town and supersedes any and all other agreements on this subject between the parties.

#10 - In the event of any noncompliance of any term or terms of this Agreement by the Town, the Authority may, at its sole option, declare the Town in default and immediately terminate this Agreement.

#11 - The laws of the State of North Carolina shall control and govern this Agreement.

Background Attachment(s): ONWASA Administrative Service Agreement

Recommended Action: Motion to approve the agreement as written and authorize the Mayor and Clerk to execute the agreement.

Action: _____

ADMINISTRATIVE SERVICE AGREEMENT

AGREEMENT made this ____ day of _____, 2022, by and between **ONslow WATER AND SEWER AUTHORITY** (the "Authority") a body politic and corporate of the State of North Carolina, and the **TOWN of SWANSBORO** (the "TOWN"), a municipal corporation of the State of North Carolina;

WITNESSETH:

WHEREAS, the County of Onslow (the "County") the City of Jacksonville, and the Towns of Swansboro, Richlands, North Topsail Beach and Holly Ridge, acting through their respective governing bodies, pursuant to the provisions of Article 1, Chapter 162A of the General Statutes of North Carolina, organized and incorporated the Authority as a vehicle to assist in providing a satisfactory supply of potable water and sewer collection/treatment for citizens of the member governments of the Authority; and,

WHEREAS, in furtherance of the purposes for which the Authority was created, the County and above referenced municipalities, with the exception of Jacksonville, leased to the Authority their water and sewer systems pursuant to long term Capital Lease Agreements and the Authority pursuant to Water and Sewer Service Agreements having terms concurrent with the Capital Lease Agreements, agreed with each such member government to meet the water and sewer needs of their citizens within the limitations of available supply; and

WHEREAS, the Authority's main offices are on Georgetown Road in the City of Jacksonville; and

WHEREAS, for the convenience of customers of the Authority located in or in the general vicinity of the Town, it was provided in the Water and Sewer Service Agreement with the Town that the Authority shall maintain facilities in the Town for the purpose of the bill payment and telephone communication from customers; and

WHEREAS, pursuant to N.C. Gen. Stat. § 162A-6 the Authority is authorized to enter into agreements with units of government relating to the operation of the Authority's utility systems; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

1. The Town shall, at its sole cost and expense, perform certain duties on behalf of the Authority, such as collecting payment for services provided by the Authority. The exact functions to be performed by the Town are described on **EXHIBIT A** attached hereto and made a part hereof. The Town shall prominently display ONWASA's name on office doors and in other suitable locations on the exterior of the Town Hall premises as is reasonably necessary to advise the public that Authority administrative services are available at the Town Hall. The Authority shall be responsible for providing the Town with such computer, internet, technical support and supplies as necessary at the discretion of the Authority for the Town to perform its duties under this Agreement.
2. The Authority shall pay to the Town for services performed pursuant to this Agreement the sum of \$2,916.67 per month, payable on or before the 10th day of each month; provided, however the Authority may deduct from any monthly payment an amount equal to \$16.83 (35,000/2,080) for each hour in the previous month worked by Authority personnel in

performing any administrative services which the Town was obligated to perform pursuant to this Agreement.

3. In lieu of providing the services to the Authority set forth in paragraph 1 above, the Town may at time during the term of this Agreement request the Authority to set up a kiosk in the Town to provide services to the citizens. Should this request be made, the Authority shall, as soon as practicable, establish a kiosk in the Town to provide services. Beginning at the end of the month in which a kiosk is established in the Town, all payments provided in paragraph 2 above shall cease, and the Town shall have no further obligation to provide those services set forth in paragraph 1 above.
4. This Agreement shall continue in effect through June 2023. Either party may terminate this Agreement as of the end of any month by giving the other party at least 60 days notice in advance of the termination date. If a Town is providing services as set forth in paragraph 1 above, a decision to reduce operating hours would be at the discretion of the Authority's Member Governments hosting these satellite offices if Town Facilities are being utilized.
5. The Authority agrees on behalf of the Town to bill to any Authority customers any solid waste fees which such customers may also owe the Town. The Authority will collect such fees in the routine course and remit all payments to the Town. The Authority shall not be responsible for bringing any legal action or taking any extraordinary steps to collect amounts due the Town, other than billing for such charges and remitting any collections to the Town. All claims on account of the Authority billing for and collecting sewer and solid waste fees on behalf of the Town shall be made against the Town, and shall be the sole liability of the Town.
6. The Town and the Authority, in the performance of this Agreement, will be acting in an individual capacity and not as the employee, partner, joint venture, agent or associate of one another, except as may be expressly otherwise provided herein.
7. This Agreement may be modified only by a written agreement executed by both parties hereto.
8. This Agreement is not assignable by either party, by operation of law or otherwise.
9. This Agreement sets forth the entire agreement between the Authority and the Town and supersedes any and all other agreements on this subject between the parties.
10. In the event of any noncompliance of any term or terms of this Agreement by the Town, the Authority may, at its sole option, declare the Town in default and immediately terminate this Agreement.
11. The laws of the State of North Carolina shall control and govern this Agreement.
12. Any claims, disputes, or other controversies arising out of, and between parties to this Agreement which may ensue shall be subject to and decided by the appropriate division of the General Court of Justice in Onslow County, North Carolina.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized representatives pursuant to the resolutions of their respective governing bodies, have caused this instrument to be executed as of the day and year first above written.

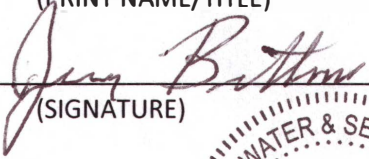
Exhibit A

DUTIES

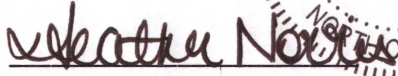
- Collection of payments from customers
- Post payments to customers' accounts
- Process payments received in drop box
- Balance cash and make bank deposit daily
- Process applications for service at existing properties which includes collecting deposit and associated fees
- Process payments for reconnection of service terminated for non-payment and generate adjustment journal
- Generate service orders for termination of service requested by customer

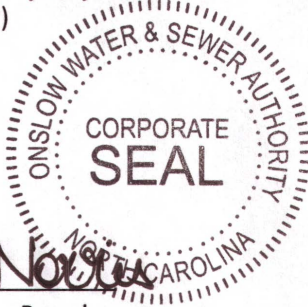
ONSLOW WATER & SEWER AUTHORITY

By: JERRY BITTNER CHAIRMAN
(PRINT NAME/TITLE)


(SIGNATURE)

ATTEST:


ONWASA Clerk to the Board



TOWN OF SWANSBORO

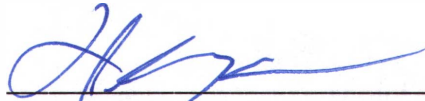
By: _____
(PRINT NAME/TITLE)

(SIGNATURE)

ATTEST:

Town Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Chief Financial Officer

Proclamation

WHEREAS, Municipal Finance Officers and their staff provide the financial expertise in our community that is an integral part of our citizens' everyday lives; and

WHEREAS, Municipal Finance Officers are responsible for development and implementation of best practices for all financial reporting that incorporates both political and managerial aspects, as well as a responsibility to report and account for the provision of services and use of resources; and

WHEREAS, the Swansboro Finance Department prepares, balances, and manages the Annual Budget and Financial Plan for the General Fund, Capital Projects, and various restricted funds; to help decision makers make informed choices about the provision of services and capital assets and to promote stakeholder participation in the process.

NOW, THEREFORE, I, Mayor John Davis, on behalf of the Swansboro Board of Commissioners, do hereby proclaim the month of June 2022 as

“MUNICIPAL FINANCE MONTH”

in the Town of Swansboro and call upon all citizens to recognize the contributions that our Municipal Finance Director, Sonia Johnson, and staff, Angela Stewart and Ashley Mastracco make every day to assure the financial well-being of the Town.

This 13th day of June 2022.

Mayor John Davis

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Barnes Special Use Permit- 522 W. Corbett Ave**

Board Meeting Date: **June 13, 2022**

Prepared By: **Jennifer Ansell, Planner**

Overview: The property at 522 W. Corbett Ave is zoned B-2, General Business. Single-family Dwellings are allowed in the B-2 zone with a Special Use Permit. The dwelling at this location was constructed in 1948 and had been used as such until July 2020, when the water was disconnected do to a leak.

Ms. Barnes is applying for a Special Use permit to allow the reinstatement of the dwelling use at this location.

Pursuant to Sections 152.086 and 152.090 of the Town's Unified Development Ordinance (UDO), when a nonconforming use is discontinued for a consecutive period of 180 days, or discontinued for any period of time without a present intention to reinstate the nonconforming use (maintaining minimum services, water, sewer, electricity), the property involved may thereafter be used only for conforming purposes, except that the Board of Commissioners may issue a special use permit to allow a nonconforming use that has been discontinued for more than 180 consecutive days to be reinstated.

Additionally, Section (E) explains that when a structure or operation made nonconforming by this chapter is vacant or discontinued at the effective date of this chapter, the 180-day period for purposes of this subsection begins to run at the effective date of this chapter unless services are maintained (water, sewer, electricity).

Planning Board Recommendation: The Planning Board reviewed the request at their May 24, 2022 special meeting, and unanimously recommended approval of the application, stating it was consistent with the Comprehensive Plan.

Action Needed: A motion to approve or deny the Special Use permit application pursuant to Section 152.210 of the Unified Development Ordinance.

In granting a special use permit, the Board of Commissioners shall give due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use is to be located.

The Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area, ensuring that the use is consistent with the spirit of the ordinance, and shall affix to such permit any reasonable and appropriate conditions as it finds are necessary for any of those purposes.

Upon its determination that all the criteria in Section 152.210 are met, the Board of Commissioners shall enter a written order with findings of fact and conclusions of law and shall

issue the special use permit as requested or with such conditions as it finds necessary and appropriate.

Attachments

Applicable Ordinance Sections

Property Photos

Special Use Application

NONCONFORMITIES

152.086 NONCONFORMING USES.

- (F) *Cessation of use.* If a nonconforming use is discontinued for 180 consecutive days or more, then the property shall thereafter be occupied and used only for a conforming use. If a nonconforming use of property is discontinued, but reestablished within 180 days, then the nonconforming use may continue, provided that the nature and degree of the nonconformity will not be changed or increased from that which existed before the nonconforming use was discontinued.

152.090 ABANDONMENT OR DISCONTINUANCE OF A NONCONFORMITY.

- (A) When a nonconforming use is (1) discontinued for a consecutive period of 180 days, or (2) discontinued for any period of time without a present intention to reinstate the nonconforming use (maintaining minimum services, water, sewer, electricity), the property involved may thereafter be used only for conforming purposes, except as provided in division (B) of this section.
- (B) The Board of Commissioners may issue a special use permit to allow a nonconforming use that has been discontinued for more than 180 consecutive days to be reinstated if it finds that (1) the nonconforming use has been discontinued for less than two years, and (2) the discontinuance resulted from factors that, for all practical purposes, were beyond the control of the person maintaining the nonconforming use.
- (E) When a structure or operation made nonconforming by this chapter is vacant or discontinued at the effective date of this chapter, the 180-day period for purposes of this subsection begins to run at the effective date of this chapter unless services are maintained (water, sewer, electricity).

SPECIAL USES

§ 152.210 PROCEDURE FOR SPECIAL USE PERMITS.

- A) Special use permits may be issued by the Administrator, after approval by the Board of Commissioners, for the uses as designated in the table of regulations for special uses. Applications shall include all of the requirements pertaining to it as specified in this section. A hearing shall be held, and all interested persons shall be permitted to offer relevant comments. The Town Board of Commissioners shall consider the application and may approve or deny the requested special use permit.
- B) In granting a special use permit, the Board of Commissioners shall give due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use is to be located, and shall make written findings of fact concerning the existence or absence of the following criteria:
- 1) The special use is allowed pursuant to § [152.210](#) and meets all the required conditions and specifications, including without limitation, those set out in § [152.211](#). The special use, “Dwelling, single-family”, is allowed by the Table of Uses in the B-2 zoning district. There are no specific conditions required under Section 152.211.

- 2) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. The property has traditionally been used as a dwelling, since at least 1948 based on the tax record.
- 3) The special use will not substantially injure the value of adjoining or abutting property, OR the special use is a public necessity. The request is to reinstate the residential use, therefore there will be no effect on adjacent property values.
- 4) The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by G.S. §160A-382(b). The CAMA Land Use Plan Update (2019) identifies the property as Coastal Traditional Neighborhood (CTN):



The Coastal Traditional Neighborhood designation is defined as primarily single family residential, but with multi-family structures sprinkled throughout, this high-density district is walkable and its residents primarily support the businesses in the Traditional Town Center (TTC).

This community type is based on historical and existing densities found in the oldest residential sections of Swansboro. It is not uncommon to have a variety of residential products, including accessory dwellings or garage apartments, duplexes, quadplexes, patio or garden apartments, and small or context sensitive apartments.

This walkable district is the “old town” residential neighborhood that surrounds the historic central business district. It is walkable and dense, with small lots clustered on regular blocks that create a cozy and neighborly feel. While it is not uncommon for a non-residential use to occupy a previously residential structure, most non-residential uses occur in the nearby mixed use activity node, which is within a short walk. The historic development pattern has narrow streets and rights-of-way, with sidewalks generally only on one side of the street. Lots are narrow, but porches are wide.

- 5) Upon the issuance of any special use permit, the Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area, and ensuring that the use is consistent with the spirit of the ordinance, and shall affix to such permit such reasonable and appropriate conditions as it finds are necessary for any of those purposes. If any conditions affixed to any special use permit or any part thereof is held invalid by any competent authority, then said special use permit shall be void.
- C) *Orders of Board of Commissioners.* Upon its determination that all of the criteria set out in this section are met, the Board of Commissioners shall enter a written order with findings of fact and conclusions of law and shall issue the special use permit as requested or with such conditions as it finds necessary and appropriate pursuant to this section.
- D) Upon its determination that one or more of the criteria set out in this section are not met, the Board of Commissioners shall issue its written order with findings of fact and conclusions of law and shall deny the requested special use permit.
- E) Any special use permit approved or approved with conditions shall be recorded in the office of the Register of Deeds of Onslow County, North Carolina.
- F) All such additional conditions shall be entered in the minutes of the meeting at which the special use permit is granted and also on the special use permit approval, and on the approved plans submitted therewith. All specific conditions shall run with the land and shall be binding on the original applicant for the special use permit, the heirs, successors, and assigns. In order to ensure that such conditions and requirements for each special use permit will be fulfilled, the petitioner for the special use permit may be required to enter into a contract with the Town of Swansboro providing for the installation of the physical improvements required as a basis for the issuance of the special use permit. Performance of said contract shall be secured by cash or surety bond which will cover the total estimated cost of the improvements as determined by the Town of Swansboro; provided, however, that said bond may be waived by the Town Board of Commissioners within its discretion.
- G) In addition to the conditions specifically imposed by the Town Board of Commissioners, special uses shall comply with the height, area, and parking regulations of the zone in which they are located (no variances from requirements within zoning ordinance are allowed).
- H) In the event of failure to comply with the plans approved by the Board of Commissioners or with any other conditions imposed upon the special use permit, the permit shall thereupon immediately become void and of no effect. No building permits for further construction nor a certificate of compliance under this special use permit shall be issued, and the use of all completed structures shall immediately cease and such completed structures not

thereafter be used for any purpose other than a use-by-right as permitted by the zone in which the property is located.

- I) Where plans are required to be submitted and approved as part of the application for a special use permit, modifications of the original plans may be authorized by the Town Board of Commissioners.





TOWN OF SWANSBORO
Special Use Application

APPLICANT'S NAME Kristi T. Barnes + Jaffey L. Barnes III
MAILING ADDRESS 224 Club Point DR Cape Carteret NC 28584 Phone # 919-418-9025
OWNER'S NAME BAGGS, Elizabeth Heins, James R. BAGGS, Administrator
OWNER'S ADDRESS 1811 Blizzard Ct, Fuquay-Varina, NC 27526 Phone # 910-890-8906

TAKE NOTICE THAT THE UNDERSIGNED HEREBY PETITIONS THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO FOR A SPECIAL USE AS DESCRIBED BELOW AND AS ALLOWED BY ARTICLE 10 OF THE UNIFIED DEVELOPMENT ORDINANCE:

to remain used as residential

ON THE PREMISES LOCATED AT: 522 W. Corbett Ave. Swansboro, NC 28584
LOT (meets + bounds description) BLOCK 1404-178 MAP 32

THE PROPERTY IS ZONED: 32

THIS 9 DAY OF May, 2022.

APPLICANT'S SIGNATURE Kristi T. Barnes + Jaffey L. Barnes III

DATE FILED 5/9/22

RECIPIENT SIGNATURE [Signature]

ZONING ADMINISTRATOR [Signature]

APPLICANT OR APPLICANT REPRESENTATIVE MUST BE PRESENT FOR AN APPLICATION TO BE HEARD. IF SOMEONE OTHER THAN THE APPLICANT WILL BE THE REPRESENTATIVE, THE FOLLOWING MUST BE COMPLETED.

I /We Heins of Elizabeth BAGGS, James R. BAGGS Administrator am /are the owner(s) of the property located at 522 W. Corbett Ave. Swansboro NC. I /We hereby authorize Kristi T. Barnes + Jaffey L. Barnes III to appear my behalf in order to ask for a special use permit at this location. I /We understand that the special use permit, if granted, is permanent and runs with the land unless otherwise conditioned.

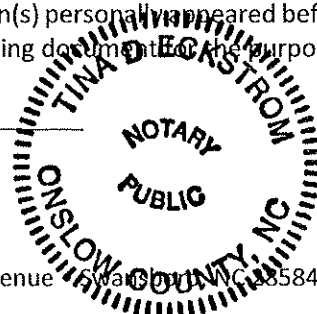
James R. Baggs 05-09-2022
Owner Date

Owner Onslow County, North Carolina

I certify that the above person(s) personally appeared before me this day, each acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated herein.

Date: May 9, 2022

(Official Seal)



Tina D. Ekstrom
Notary Public

My commission expires: May 20, 2022

Special Use Permit

522 W Corbett Ave.
Swansboro, Nc 28584

May 9, 2022

Town of Swansboro:

We are applying for Special Use for Non Conforming Residential Use to be reinstated .
The property has been in residential use since 1948.
It has been maintained as residential use with all utilities .
Due to a leak in July 2020 the water had to be disconnected. Due to Covid, death of a parent,
and out of county heirs the leak was not addressed and repaired until May 6, 2022.

Keeping as a residence as it has for the last 70 years will not change the use, nor harm or
endanger the public, nor injure the value of adjoining properties and is in the Coastal Traditional
Neighborhood which allows single family homes.

Please consider our request,

Handwritten signatures of Kristi Barnes and Jaffrey Barnes. Kristi's signature is on the left, and Jaffrey's is on the right, written in a cursive style.

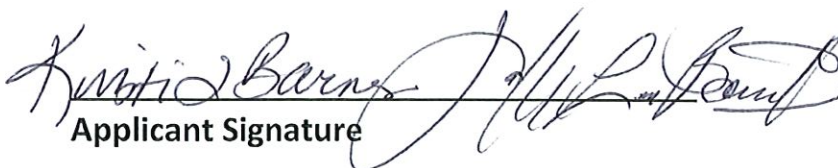
Jaffrey and Kristi Barnes
224 Club Point Drive
Cape Carteret, NC 28584
919-418-9025

must be included. A private appraisal may be provided in lieu of the documented tax value

- N/A
- ☐ The [Parking](#) standards will apply whenever there is new construction, when any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area, or when there is a conversion from one type of use or occupancy to another. The number of spaces, dimensions, proposed layout, and circulation pattern need to be depicted on the site plan
 - N/A
☐ The [Landscaping Regulations](#) will apply to all new or changed uses of land, buildings, and structures and to any use of building or structure which sits idle more than 180 consecutive days or is abandoned, except for those uses exempted in sections (C)(1) through (C)(3) under [Section 152.525](#). A landscaping plan must be included with the application when required
 - N/A
☐ The [Lighting](#) standards of the UDO apply to any fixtures proposed to be installed. A lighting plan should be included to demonstrate compliance with the ordinance standards
 - N/A
☐ [Sidewalks](#) are required for property located in Town Limits when the development of vacant property occurs, the redevelopment of property occurs, or when there are substantial additions to property.

Additionally, sidewalks are required in the Extraterritorial Jurisdiction (ETJ) when the development or redevelopment of vacant commercial property occurs; provided that the development involves the razing, dismantling, or removal of all principal structures existing on a tract of land substantially to ground level. See [Section 152.180](#), Note 5

Proposed sidewalks must be shown on the site plan


Applicant Signature

5/9/22
Date

R. L. CARNEY & WIFE
TO
J. B. BAGGS & WIFE
NORTH CAROLINA:
ONCLOW COUNTY:

WARRANTY DEED.

THIS DEED, Made this 22nd day of January, 1948 by R. L. Carney and wife Lillian Carney of Onslow County and State of North Carolina of the first part, to Elizabeth Baggs and husband James B. Baggs of Onslow County and State of North Carolina of the second part:

WITNESSETH, that said R. L. Carney and wife Lillian Carney in consideration of Ten Dollars (\$10.00) and no/100 and other valuable considerations to them paid by Elizabeth Baggs and husband James B. Baggs the receipt of which is hereby acknowledged, have bargained and sold, and by these presents does grant, bargain sell and convey to said Elizabeth Baggs and husband, heirs and assigns a certain tract or parcel of land in Onslow County, State of North Carolina, adjoining the lands of R. L. Carney, J. D. Heath, and O. T. Russell and others, and bounded as follows, viz:

Beginning in J. D. Heath's line at North Carolina Highway No. 24, which is also the line of the incorporated limits of the Town of Swansboro; and running thence North 51 degrees and 45 minutes East to old Highway Number 24; thence with old Highway Number 24 Southeastwardly to the present hard surfaced highway number 24; thence with the present hard surfaced Highway Westwardly to the beginning and being the triangular tract of land lying between the present hard surfaced highway the town limits and old highway number 24 or Church Street.

It is the intention for this description to include one half of Highway Number 24 in so far as it lies adjacent to the tract of land described if and when said highway is abandoned, said reference being to the old dirt highway.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, and all privileges and appurtenances thereto belonging, to the said Elizabeth Baggs and husband James B. Baggs their heirs and assigns, to their only use and behoof forever.

And the said R. L. Carney and wife Lillian Carney for themselves and their heirs, executors and administrators, covenant with said Elizabeth Baggs and husband James B. Baggs their heirs and assigns, that they are seized of said premises in fee and have right to convey in fee simple; that the same are free and clear from all encumbrances, and that they do hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said R. L. Carney and wife Lillian Carney have hereunto set their hands and seals, the day and year first above written.

R. L. Carney (Seal)
Lillian Carney (Seal)

STATE OF NORTH CAROLINA:
ONCLOW COUNTY:

I, W. E. Baggs, Notary Public, do hereby certify that R. L. Carney and Lillian Carney his wife, personally appeared before me this day and acknowledged the due execution of the annexed Deed of Conveyance.

Witness my hand and Notarial seal, this 22nd day of January, A.D. 1948.

W. E. Baggs, Notary Public (Seal)

N. P. Seal
My Comm. Ex. Dec. 7, 1949.

STATE OF NORTH CAROLINA:
ONCLOW COUNTY:

The foregoing certificate of W. E. Baggs, a Notary Public of Onslow County State of North Carolina, is adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand and official seal, this 23 day of January, A. D. 1948.

Nora E. Phillips, Asst. Clerk Sup. Court.

Filed for registration at 11 o'clock A. M. January 23, 1948 and duly recorded January 23, 1948.

J. B. Murrill, Register of Deeds.

D.H.Solutions
123 Bayshore Drive
Cape Carteret, NC 28584
Phone:9105813571
Contact:Caleb Toler
Email:d.h_solutions@yahoo.com



INVOICE

Customer Address

Jim Bags
502 Hilltop Drive
Swansboro , NC 28584
9108908906
jbaggs502@icloud.com

Invoice #:

657

Date:

May 6, 2022

Terms:

Due Upon Receipt

Description	Total
Repair in ground leak (under sidewalk, galvanized pipe)	
Replace toilet fill valve	
Materials (\$45.00)	
Labor (\$335.00)	
Subtotal	\$380.00
7.0% Tax	\$0.00
Total	\$380.00
Amount Paid	\$380.00
Amount Due	\$0.00



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule**

Board Meeting Date: **June 13, 2022**

Prepared By: **Paula Webb, Town Manager**

Overview:

The FY 2022/2023 Annual Budget was originally submitted on May 27, 2022. The budget was prepared in accordance with N.C.G.S. Chapter 159, the North Carolina Local Government Budget and Fiscal Control Act. As required, all funds within the budget are balanced, and all revenues and expenditures are identified for FY 2022/2023.

The total budget is in the amount of \$5,562,883 which represents a increase of 2% from the FY 2021/2022 Amended Budget of \$5,463,305. The tax rate is proposed to remain unchanged at \$0.35 per \$100 valuation. The General Fund Budget for FY 2022/2023 is balanced with \$0 of fund balance.

The collection of residential and some commercial garbage and recycling will continue to be managed through a contractual agreement approved by the Board on June 8, 2020 with GFL, Inc (AKA Waste Industries, Inc.).

Changes to the FY 22/23 Fee Schedule is highlighted in yellow. The change indicates the final date to make Stormwater payment in full to receive the one-month credit incentive.

The FY 2022/2023 Salary Schedule has been updated to reflect a 3% COLA increase.

Background Attachment(s): FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule

Recommended Action:

1. Hold the Public Hearing; and
2. Motion to adopt FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule.

Action: _____

**TOWN OF SWANSBORO
BUDGET ORDINANCE
FISCAL YEAR 2022/2023**

BE IT ORDAINED by the Board of Commissioners of the Town of Swansboro, North Carolina that the following ordinance be adopted to make appropriations and raise revenue for the current operations of the Town of Swansboro for fiscal year beginning July 1, 2022 and ending June 30, 2023.

SECTION 1. It is estimated that the following revenues will be available in the General Fund for fiscal year beginning July 1, 2022 and ending June 30, 2023:

Ad Valorem Tax.....	\$2,352,648
Ad Valorem Tax prior years.....	\$ 13,000
Penalties and Interest.....	\$ 5,000
Sales and Use Tax.....	\$1,214,213
Powell Bill Funds.....	\$ 111,526
County Funding (Fire).....	\$ 177,037
Utility Franchise Taxes.....	\$ 230,000
Building Permit Fees.....	\$ 175,000
ABC Distribution.....	\$ 60,000
Beer & Wine Tax.....	\$ 14,000
Interest/Investments.....	\$ 1,000
ONWASA Satellite Office Payment.....	\$ 35,000
Rental Fees/Leases.....	\$ 73,510
Festivals & Events.....	\$ 45,000
Transfer from Capital Reserve.....	\$ 36,000
Other Revenues.....	\$ <u>429,613</u>
TOTAL REVENUES	\$ <u>4,972,547</u>

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SECTION 2. The following amounts are hereby appropriated in the General Fund for the expenses of the town government and its activities for the fiscal year beginning July 1, 2022 and ending June 30, 2023:

Governing Body.....	\$ 29,902
Administrative Services.....	\$ 362,275
Finance.....	\$ 265,670
Legal.....	\$ 43,000
Public Buildings.....	\$ 389,207
Fire Department.....	\$ 1,040,223
Permitting.....	\$ 360,338
Police Department.....	\$ 1,055,357
Streets Municipal.....	\$ 375,286
Streets State Aid.....	\$ 111,526
Parks and Recreation.....	\$ 357,647
Church Street Town Dock.....	\$ 7,590
Emergency Management.....	\$ 1,125
Festivals & Events.....	\$ 122,849
Non-Departmental.....	\$ 450,552
TOTAL EXPENSES	\$ 4,972,547

SECTION 3. Revenues. It is estimated that the following revenues will be available in the Solid Waste Enterprise Funds for fiscal year beginning July 1, 2022 and ending June 30, 2023:

Solid Waste Fund.....	\$ 446,121
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SECTION 4. Expenditures. The following amounts are hereby appropriated in the Solid Waste Enterprise Funds for the fiscal year beginning July 1, 2022 and ending June 30, 2023:

Solid Waste Fund.....	\$ 446,121
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SECTION 5. Revenues. It is estimated that the following revenues will be available in the Stormwater Enterprise Funds for fiscal year beginning July 1, 2022 and ending June 30, 2023:

Stormwater Fund.....	\$ 144,215
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SECTION 6. Expenditures. The following amounts are hereby appropriated in the Stormwater Enterprise Funds for the fiscal year beginning July 1, 2022 and ending June 30, 2023:

Stormwater Fund..... \$ 144,215

SECTION 7. Debt Service. The following amounts are hereby appropriated in the General Fund for the annual debt service payments for the fiscal year beginning July 1, 2022 and ending June 30, 2023 are as follows:

Town Hall.....	\$ 72,863
Fire Truck.....	\$ 11,861
Public Safety Building.....	\$ 44,128
Sleeping Quarters-PSB.....	\$ 28,645
New Fire Truck.....	\$ 47,512
Grapple Truck.....	\$ 32,593
Town Hall Generator.....	\$ 15,324
Vehicles & Software.....	\$ 23,377
TOTAL DEBT SERVICE	\$276,303

SECTION 8. Capital Projects & Grant Projects. The FY 2022-23 budget ordinance hereby authorizes the following capital improvement & grant projects:

A. Waterfront Plan Implementation Project: Fund #24.....	\$ 554,817
B. Municipal Park Improvements Project: Fund #57.....	\$1,325,104
C. American Rescue Plan Act Funds #32.....	\$1,065,724
D. Emergency Operations Center #33.....	\$6,000,000
E. Emmerton School Repairs #34.....	\$ 424,000
F. Swansboro Bicentennial Park Boardwalk Extension #35.....	\$ 163,350

SECTION 9. Tax Rate. There is hereby levied for the fiscal year 2022-2023 a tax at the rate of \$0.35 on each one hundred dollars (\$100) assessed valuation of property located within the Town of Swansboro as listed as of January 1, 2022, for the purpose of raising revenue in the General Fund Section 1 of this ordinance.

SECTION 10. The Town Manager (Budget Officer) and the Finance Director are hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- A. He/She may transfer amounts between objects of expenditures within a department without limitation and without a report being required.
- B. He/She may transfer amounts between departments within the same fund. An official report must be made at the next regular meeting of the Board of Commissioners.

- C. He/She may utilize appropriations contained in the contingencies or emergency fund appropriations, as needed without limitation and without a report being required.
- D. He/She may transfer amounts between funds, with prior approval by the Governing Board in an amendment to the Budget Ordinance.
- E. He/She may transfer funds from reserve funds, up to \$20,000 per purpose, to meet current needs for the purpose for which such funds are being held in reserve provided that a report of such transfers be made no later than the next regular meeting of the Board of Commissioners.
- F. He/She may make interfund loans as necessary to meet cash flow needs. They may make advances to the various funds for working capital purposes, without additional approval from the Town Board.

SECTION 11. Fee Schedule. The Town of Swansboro Schedule of Fees for Fiscal Year 2022-2023, amended from the Schedule of Fees for the previous fiscal year, is hereby adopted by reference. In addition, Policy No. 10 reflects the Board of Commissioner's ability to waive permit related and/or annexation fees in exchange for voluntary annexation and is hereby adopted by reference.

SECTION 12. Salary Schedule. The Town of Swansboro Salary Schedule for Fiscal Year 2022-2023, amended from the schedule for the previous fiscal year, is hereby adopted by reference with a 3% COLA.

SECTION 13. Copies of this budget ordinance shall be furnished to the Town Manager (Budget Officer), Finance Director, Town Clerk, and the Tax Supervisor for their direction to carry out their duties.

SECTION 14. This ordinance shall become effective on July 1, 2022, following its adoption, this 13th day of June 2022.

ATTEST:

**TOWN OF SWANSBORO
BOARD OF COMMISSIONERS**

Alissa Fender, Town Clerk

John Davis, Mayor

**ORDINANCE AMENDING THE STORMWATER MANAGEMENT UTILITY AND
ENTERPRISE FUND AUTHORIZING THE IMPOSITION OF STORMWATER
UTILITY CHARGES FOR THE TOWN OF SWANSBORO**

2022-08

Section 1. Purpose.

This ordinance establishes a stormwater management utility as an identified fiscal and accounting fund for the purpose of addressing stormwater management needs of the Town including to pay for all or part of the construction, reconstruction, repair, enlargement, improvement, acquisition, maintenance, operation, administration and use of the stormwater utility within the jurisdiction.

Section 2. Establishment of a Stormwater Management Utility and Stormwater Enterprise Fund.

(a) There is hereby established a stormwater management utility which shall be responsible for stormwater management programs, and which shall provide for the management, protection, control, regulation, use and enhancement of stormwater and drainage systems owned by the Town.

(b) Just and reasonable charges for use, access, connection, and availability of stormwater drainage facilities shall be calculated and determined based on expected and typical stormwater runoff as may be calculated within reasonable and practical limits.

(c) There is hereby established a Stormwater Enterprise Fund for the Town for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the stormwater management utility, including but not limited to rents, rates, fees, charges, and

penalties as may be established, after notice and a public hearing, by the Governing Body and other funds that may be transferred or allocated to the stormwater management utility. All revenues and receipts of the stormwater management utility shall be placed in the Stormwater Enterprise Fund and all expenses of the utility shall be paid from the Stormwater Enterprise Fund, except that other revenues, receipts and resources not accounted for in the Stormwater Enterprise Fund may be applied to stormwater management programs, and stormwater and drainage systems as deemed appropriate by Governing Body.

Section 3. Jurisdiction.

The boundaries and jurisdiction of the stormwater management utility shall include all areas of the corporates limits of the Town, including all areas hereafter annexed thereto.

Section 4. Definitions.

For the purpose of this Ordinance, the following words, terms, and phrases shall have the meanings given to them in this section, except where the context clearly indicates a different meaning:

Commercial shall mean buildings and or parcels used for non-residential purposes directly or indirectly in connection with any business, or other undertaking intended for profit or non-profit.

Credit shall mean ongoing reductions in the stormwater service charge applicable to a given property in recognition of on-site or off-site systems, facilities, measures, and actions taken by customers to reduce or mitigate the impact of their properties or actions on quantity or quality impacts that would otherwise be managed in the public system. “Credits” shall be conditioned on the continuing performance of the systems, facilities, measures or actions in reference to

standards adopted by the utility upon which the credits are granted ; and may be revised or rescinded.

Developed Land shall mean a land parcel altered from its Natural State that contains impervious surface.

Drainage System shall mean natural and structural channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of storm water runoff.

Governing Body shall mean the Board of Commissioners for the Town of Swansboro.

Impervious Surface shall mean those areas within developed land which prevent or significantly impede the infiltration of stormwater into the soil. Common “impervious surfaces” include but are not limited to roof tops, sidewalks, walkways, patio areas, roads, driveways, parking lots, storage areas, brick or concrete pavers, compacted gravel surfaces (roads, driveways, walks, parking, and storage areas), and other surfaces which prevent or significantly impede the natural infiltration of stormwater into the soil.

Low Impact Development (LID) shall be defined by NCDEQ’s definition of Low Impact Development. The runoff volume match goal is to keep the volume of stormwater runoff on an annual basis similar both before and after development. This approach helps to protect the receiving stream’s hydrology, structure, and support. Under runoff volume match, the majority of the project must be treated by SCMs (stormwater control measures) that infiltrate and

evapo-transpire stormwater; however, a small portion of the project's stormwater may typically be released without treatment (this helps retain hydrology to the receiving waters). The definition in addition expands upon the NC Low Impact Development Guidebook which states LID maintains and restores the hydrologic regime by creating a landscape that mimics the natural hydrologic functions of infiltration, runoff, and evapotranspiration.

Natural State shall describe existing Undeveloped Land where the soil and vegetation characteristics have not been substantially modified or disturbed by human activities and the hydrologic function is in an unaltered or natural condition.

NCDEQ shall mean North Carolina Department of Environmental Quality.

Residential means buildings and or parcels used for residences such as attached and detached single-family dwellings, apartment complexes, condominiums, manufactured homes, mobile homes, townhouses, cottages, etc., and their associated outbuildings such as garages, storage buildings, gazebos, etc.

Service Area shall mean all land within the corporate limits of the Town of Swansboro.

Service Charge shall mean a Stormwater management service charge, applicable to a land parcel, which generally reflects the impact on or demand for Stormwater management services provided by the Town to properly control and manage Stormwater runoff quantity and/or quality associated with the land parcel. The Service Charge will vary from one land parcel to another based on the total Impervious Surface Area. The Service Charge may vary for the same class of service in different areas of the Service Area and may vary according to classes of service.

Stormwater shall mean the runoff from precipitation that travels over Natural State or Developed Land surfaces and enters a Drainage System.

Stormwater Services Utility Manager. A person working for or on behalf of the Town to administer the Stormwater Management Program. For the purposes of this ordinance, it shall also mean Town Manager and/or his designee.

Stormwater Management Program shall mean an identified set of measures and activities designed to protect, restore and/or manage stormwater quality by controlling and/or reducing pollutants and to reduce and/or manage stormwater quantity by controlling velocity, volume, and rate.

Stormwater Management Utility shall mean an organizational structure that is responsible for funding, administering, and operating the Town's Stormwater Management Program, and that is supported through a rate structure based on the Impervious Surface Area found on land parcels located within the Service Area.

Town shall mean Town of Swansboro.

Undeveloped Land shall mean all land that is not altered from its Natural State.

Section 5. Schedule of Fees and Charges.

(a) *Fee Schedule adopted.* The schedule of fees and charges for use of the stormwater utility shall apply to all land properties within the jurisdiction that contain impervious surface area.

Section 6. Exemptions and Credits Applicable to Stormwater Management Service Charges.

(a) *Statement of Policy.* Except as *provided* in this section, no public or private property shall be exempt from Stormwater Management Service Charges or receive a credit or offset against such Stormwater Management Service Charges. No exemption or reduction in Stormwater Management Service Charges shall be granted based on the age, tax or economic status, race, or religion of the customer, or other condition unrelated to the cost of providing stormwater services and facilities.

(b) *Exemptions.* No public or private property shall be exempt from Stormwater Management Utility Service Charges, with the following exceptions:

1. Publicly dedicated roads, streets, greenways, sidewalks and other publicly dedicated rights of way and easements for vehicular or pedestrian traffic that are available for use by the general public for transportation purposes, shall be exempt from Town Stormwater Management Utility Service Charges. This exemption shall not apply to internal site roadways within public facilities.
2. Railroad rights-of-way used or formerly used for trackage shall be exempt from Town Stormwater Management Utility Service Charges. This exemption shall not be construed to apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.

(c) *Credits.* The following credits may be allowed upon adoption of a Credit Application Instruction Manual by the Commissioners:

1. Residential parcels that provide measures to mitigate the impacts of runoff by such methods outlined in the Swansboro Watershed Restoration Plan may be eligible for partial credit. Methods can include rain gutter downspout redirect, rain barrel, cistern and permeable pavers equal in square footage to the square footage calculated in determining fee. Other considerations may include homes certified by the U.S. Green Building Council. An additional discount may be applied if payments are made **by September 30th.** ~~in advanced of quarterly semi-annual installments (i.e. lump sum during the first billing in July).~~
2. Commercial parcels that provide measures to mitigate the impacts of runoff on the Stormwater system may be eligible for partial credit for Impervious Surface Area and may be proportional to the extent those measures address the impacts of peak discharge and total runoff volume from the site (See Low Impact Development). An additional discount may be applied if payments are made **by September 30th.** ~~in advanced of quarterly semi-annual installments (i.e. lump sum during the first billing in July).~~ Additional credit beyond the one-month credit for an approved stormwater bmp and lump sum payment shall depend upon the site's implementation of Low Impact Development.

3. Additional Credit for Low Impact Development. Commercial properties that have implemented NC State permitted Low Impact Development (LID) tools/practices may qualify for an additional credit beyond the stormwater bmp and lump sum credits noted in 2 above. The LID tool must be an accepted method per the most recently adopted NCDEQ Stormwater Design Manual. Certification by a NC Licensed Professional Engineer and/or an approval from NCDEQ of the LID for the additional credit must accompany the application certifying the LID tool implemented on site and the percentage of stormwater retained, disconnected, and not released into the Town's conveyance system. The credit request shall be reviewed before the Board of Commissioners and on a case by case basis. The credit may be considered on a percentage decrease basis similar and proportional to the percentage of stormwater retained, disconnected, and not released into the Town's conveyance system. The town may request information as necessary to determine the eligible credit.
4. The Credit Application Instruction Manual may be approved by the Commissioners and placed on file with the Town Clerk at which time it shall be followed in establishing applicable credits to a customer's Impervious Surface Area portion of the Stormwater Management Utility Service Charge.
5. Each credit allowed against a customer's Impervious Surface Area Charge portion of the Stormwater Management Utility Service Charge shall be conditioned on continuing compliance with the performance standards set forth in the Credit Application Instruction Manual and/or the applicable standards set out in the Town's Unified Development Ordinance, Swansboro Watershed Restoration Plan and the most recently adopted NCDEQ Stormwater BMP Manual as approved by the NC Department of Environmental Quality, Division of Energy, Mineral, and Land Resources existing at the time of construction of such facilities and may be rescinded for noncompliance with those standards.
6. Each credit for which a customer applies shall be subject to review and approval by the Stormwater Utility Manager. The Stormwater Utility Manager may approve or reject any application for a credit in whole or in part.

Section 7. Billing and Collection

- (a) *Method of billing.* Billing and collection of the Stormwater Management Utility Service Charges for Stormwater management services and facilities shall be billed through the Town of Swansboro's Enterprise Fund Services.
- (b) *Frequency of billing.* Billing of the Stormwater Management Utility Service Charges for Stormwater management services and facilities shall be billed on a semi-annual basis. Opportunity for lump sum payment shall be provided on the first billing cycle in July. Each lump sum payment per account shall reduce the fee by 8.33% or equal to one month of the annual fee.
- (c) *Delinquencies.* Stormwater Management Utility Service Charge billings that are not paid within the time allowed for payment shall be collected by any remedy provided by law for collecting and enforcing private debts or in any other manner authorized by law.
- (d) *Application of payment.* Payment will be applied to a customer's bill in the following order:
 - 1. Interest, to the extent allowed by law.
 - 2. Civil penalties assessed pursuant to this Ordinance.
 - 3. Stormwater Management Utility Service Charge.
- (e) *Appeal of disputed bills and adjustments.* If any property owner wishes to dispute a Stormwater Utility Service Charge billing or any other rents, rates, fees, charges, or penalties adopted pursuant to this Article, that property owner must submit a written appeal within 60 days from the date of billing, stating the reasons for the appeal, and providing information pertinent to the calculation of the billed charge. A timely appeal shall stay the penalty deadlines. An appeal of a disputed bill shall be filed with the Stormwater Utility Manager for review and disposition. If the property owner is not satisfied with the disposition of the appeal, the citizen may further appeal the disputed charge to the Town of Swansboro Manager or his designee who shall make the final ruling on the validity of the appeal.

Section 8. Disposition of Service Charges and Fees.

Stormwater Management Utility Service Charge and fee revenues shall be assigned and dedicated solely to the Stormwater Management Enterprise Fund in the Town budget and accounting system, which shall be and remain separate from other funds, and shall be used only to fund identified Stormwater Management Program activities. The services, charges and fees paid to and collected by the provision of this Article shall not be used for general or other governmental or proprietary purposes of the Town, except to pay for costs incurred by the Town in rendering services associated with the Stormwater Management Utility.

Section 9. Supplying Information.

The owner, occupant, or person in charge of any land that contains impervious surface within the jurisdiction shall supply the Town Manager and/or his designee with such information as may be reasonably requested related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this ordinance.

Section 10. Severance.

Any part or provision of this Ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or of the State of North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the Ordinance.

Section 11. Miscellaneous.

This Ordinance supersedes all other Town ordinances, or parts of ordinances in conflict herewith.

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Section 11. Effective Date.

This Ordinance shall become effective July 1, 2022.

Originally adopted June 27, 2017

Amended 6/28/2021

Amended 6/13/2022

TOWN OF SWANSBORO
BOARD OF COMMISSIONERS

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk

Town of Swansboro

Schedule of Fees



Fiscal Year 2022-2023
Adopted _____

RESIDENTIAL BUILDING PERMIT FEES

New Construction (including modular construction & additions, but not trades)

Single Family and Duplexes	\$.29/sq ft
Multi-Family	\$.32/sq ft
Plumbing (including renovations and repairs)	\$.13/sq ft
Mechanical (including renovations and repairs, and ductwork)	\$.13/sq ft
Electrical (including renovations and repairs)	\$.13/sq ft
Temporary Pole	\$60.00
Porches, Decks, Garages, and Accessory Buildings (If over 12ft in any direction; over 144 sq ft) (Less than 12ft in any direction or 144 sq ft, zoning and tie-down permit and inspection required)	\$.13/sq ft
Renovations & Repairs (Building Only) (Not Additions - see New Construction)	\$.13/sq ft
Manufactured Homes (includes CO)	
Single Wide	\$175.00
Double Wide	\$225.00
Triple Wide	\$275.00
Sidewalk Inspection for Residence	\$ 60.00
Driveway Inspection	\$ 60.00
Fence Inspection	\$ 60.00
Home Owners Recovery Fund	\$ 10.00
Certificate of Occupancy or Certificate of Compliance	\$100.00
Temporary Residential Storage Unit (PODS)	No charge
Minimum Permit Fee Per trade	\$ 60.00
Any work which begins without or prior purchase of any permit	Double permit fees

COMMERCIAL BUILDING PERMIT FEES

New Construction (including modular construction & additions, but not trades)

Assembly (A-1, 2, 3, 4)	\$0.55/sq ft
Business	\$0.45/sq ft
Educational	\$0.53/sq ft
Factory (F-1, F-2)	\$0.25/sq ft
High Hazard (H-1, 2, 3, 4, 5)	\$0.45/sq ft
Institutional (I-1, 2, 3, 4)	\$0.55/sq ft
Mercantile	\$0.27/sq ft \$0.55/sq ft >40,000 sq ft
Hotels & Group Care (R-1, R-4)	\$0.48/sq ft
Storage (S-1, S-2)	\$0.25 sq ft
Utility	\$0.25/sq ft
Plumbing (including renovations and repairs)	\$.13/ sq ft \$0.26/sq ft >40,000 sq ft
Mechanical (including renovations and repairs and ductwork)	\$.13 /sq ft \$0.26/sq ft >40,000 sq ft
Electrical (including renovations and repairs)	\$.13/sq ft \$0.26/sq ft >40,000 sq ft
Temporary Pole	\$60.00
Renovations & Repairs of Building only	\$.13/sq ft
Gas Pumps/Storage Tank/Mech. Equip/Gas Appliances & Equipment	\$ 60.00/unit
Freezers and cooler change-out	\$ 60.00/unit
Sidewalk Inspection	\$ 60.00 \$120.00 >40,000 sq ft
Driveway Inspection	\$ 60.00 \$120.00 >40,000 sq ft

Fence Inspection	\$ 60.00 \$120.00 >40,000 sq ft
Building Sprinkler System (new construction)	\$.07/sq ft \$0.14/sq ft >40,000 sq ft
Head Replacement	\$ 60.00/head
Repair	\$.13/linear ft
Mobile Home Park (new) Pedestal	\$ 60.00/lot
Commercial Exhaust Hoods (each)	\$150.00
Portable Storage Containers or Structures (site placement inspection)	\$ 60.00
Mobile Construction Site Containers	No charge
Certificate of Occupancy or Certificate of Compliance	\$100.00 \$500.00 >40,000 sq ft
Minimum Permit Fee Per Trade	\$ 60.00
Any work which begins without or prior purchase of any permit	Double permit fees

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OTHER BUILDING AND PLANNING FEES

Zoning Compliance Review (all projects)	\$50.00
Zoning Certification/Verification Letter	\$25.00
Site Setback Verification	\$60.00
(All buildings, additions, swimming pools and accessory buildings) (As-builts required for all principal structures)	\$150.00 >40,000 sq ft
Landscaping Verification	\$60.00 \$150.00 >40,000 sq ft
Land Improvement Permit	No Charge
Penalty for Failure to Obtain a Land Improvement Permit (Ref. Ordinance 2021-04 6/14.21)	\$3500/acre, \$20,000 maximum
Parking Lot Inspections	\$1.50/space \$150.00 >40,000 sq ft
Parking Lot Plan Review	\$75.00 \$150.00 >40,000 sq ft
Curb Cut	\$60.00 \$150.00 >40,000 sq ft
Flood Development Permit	\$60.00 \$150.00 >40,000 sq ft
Temporary Pole	\$60.00 \$150.00 >40,000 sq ft
Temporary Building Power	\$60.00 \$150.00 >40,000 sq ft
Temporary Certificate of Occupancy	\$100.00 \$200.00 >40,000 sq ft
Special Inspections	\$125.00 \$250.00 >40,000 sq ft
Roof Repair	\$ 60.00 Residential \$120.00 Commercial
Gas Piping	\$ 60.00
Alternative Sidewalk Contribution in lieu of Construction (Waiver approved by Town Manager)	\$25.00*/linear foot of frontage along a public street or highway (excluding driveways)
(*Unless official, signed estimate is received and approved)	

Electrical Service Change (Meter base, service panel)	\$100.00
Electrical service meter (accessory building)	\$125.00
Permits issued to the Town of Swansboro Government	No charge
Demolition	\$100.00 House/Commercial \$ 60.00 Mobile Home
Docks, bulkheads, retaining walls over 4', jetties, boat lift (w/o electric), and similar projects (request must include a copy of the CAMA permit for the file.)	\$125.00
Mobile Temporary office (including electrical)	\$125.00
Moving building (over 16' wide or requiring a blue light escort)	\$250.00
Mechanical unit change-out/per unit (unit only/no duct work)	\$ 60.00
Billboard Application	\$500.00
Re-inspection Fee (per trip)	\$60.00
Signs	\$1.25/sq ft per viewable side (\$60.00 minimum) >40,000 sq ft Double Fees
Temporary Signs	\$1.25/sf
Sign Impoundment Fee/Penalty	<div> <div>First occasion</div> <div>Second occasion</div> <div>Third and additional occasions</div> <div>>40,000 sq ft Double Fees for all occasions</div> </div> <div> <div>\$1/square foot</div> <div>\$5/square foot</div> <div>\$10/square foot</div> </div>
A.L.E. (Alcohol License) application compliance certification	\$ 60.00 >40,000 sq ft Double Fees
Required Fire Prevention Inspection (Including New Businesses)	
Retail/Office/Restaurants/Others Not Listed	\$100.00
Hotel/Assemblies/Education	\$200.00
Day Care, Nursing Care, Group Home Inspections	\$100.00 (annually)
Late Charge if not paid by due date	+ \$15.00 for each 30 days or portion thereof after due date
Fire Alarm Testing	\$125/system
Hydrant Testing	\$65.00/hydrant

Fire Suppression System	\$150.00 \$25.00 three or six month inspection (high-volume, 24/hr., charbroil, wok, etc.)
Permit Revision	10% of permit cost
Flood Zone Certification Letter	\$ 25.00
Cell Tower (new)	\$500.00
Cell Tower (co-location: antennae)	\$300.00

Any work which begins without or prior purchase of **the appropriate** permit double permit fees.

Fees for permits issued for projects which do not start within 6 months may
be refunded minus 15% service fee.

The Building Permit must accompany the application for the refund.

SUBDIVISION FEES

Minor Subdivision (7 lots or less) Application fee \$200.00

Major Subdivision (8 lots or more) Application fee:

Less than 1 Acre:

Sketch Plan Review	\$ 250.00
Preliminary Review	\$250.00 + \$10.00 per lot
Final Review	\$250.00 + \$10.00 per lot

1 Acre to 5 Acres:

Sketch Plan Review	\$300.00
Preliminary Review	\$300.00 + \$10.00 per lot
Final Review	\$300.00 + \$10.00 per lot

6 to 10 Acres:

Sketch Plan Review	\$350.00
Preliminary Review	\$350.00 + \$10.00 per lot
Final Review	\$350.00 + \$10.00 per lot

11 to 20 Acres:

Sketch Plan Review	\$400.00
Preliminary Review	\$400.00 + \$10.00 per lot
Final Review	\$400.00 + \$10.00 per lot

21 to 40 Acres:

Sketch Plan Review	\$450.00
Preliminary Review	\$450.00 + \$10.00 per lot
Final Review	\$450.00 + \$10.00 per lot

Over 40 Acres:

Sketch Plan Review	\$500.00
Preliminary Review	\$500.00 + \$10.00 per lot
Final Review	\$500.00 + \$10.00 per lot
Recombination/Exempt Subdivision Certifications	\$ 50.00
Subdivision Infrastructure Guarantee Verification (by Engineer)	Engineer's charge for services rendered
Subdivision Infrastructure Compliance Inspections	Engineer's charge for services rendered
Subdivision Infrastructure Re-inspections	\$ 10.00/lot
Proof Roll Inspection	\$250.00
Proof Roll Re-inspection	\$100.00

SUBDIVISION RECREATION DEDICATION/FEEES FORMULA

Land Area Required

Number of lots X .025 acres X density multiplier = Area Required (acres)

Density multipliers:	Average acres/lot	Density multiplier	[Avg. Lot Size]
	0.00-0.15	1.4	[0,000-6,534]
	0.16-0.24	1.2	[6,970-10,454]
	0.25-0.49	1.0	[10,890-21,344]
	0.50-0.99	0.9	[21,780-43,124]
	1.01 +	0.8	[43,560 +]

Payment in Lieu of Dedication

Average Tax Value Per Acre (final plat) X Area Required = Payment Required

Alternative Payment Per Lot Option:

Density Multiplier	Amount
1.4	\$840
1.2	\$720
1.0	\$600
0.9	\$540
0.8	\$480

Notes:

1. "Break even" valuation for formula vs. alternative payment is \$24,000 per acre.
2. The Town Board may (but is not required) to give credit for private, on-site recreational facilities, depending on the nature and level of services, up to 50% (maximum) of the land area or fees required (see ordinance for details).

PLANNING AND DEVELOPMENT FEES

Land Use Plan Amendments	\$400.00
Street Abandonment Request	\$300.00
Street Name Change	\$100.00
Request for UDO/Ordinance Change	\$400.00
Re-zoning Application Fee	\$400.00
Appeal of Code Enforcement Interpretation	\$400.00
Voluntary Annexation	\$350 Waiver Only By BOC (See Incentive Policy)
Special Use Permit Application Fee	\$400.00
Analysis Special Use Yearly Inspection	No Charge
Variance Application Fee	\$400.00
Subdivision Variance Fee	\$400.00
Site Plan Review	\$300.00/acre or portion thereof
Revision of Approved Site Plan	\$150.00
Traffic Impact Analysis Review Fee	Based on Hourly Contracted Engineering Rate
Historic District COA Application Fee	\$200.00
Historic District Minor Work Application Fee	\$50.00
COA Extension or Amendment Request	\$ 50.00
After the Fact Penalty (Historic District)	\$500.00 Major \$100.00 Minor \$2,000 Demolition
Driveway Permit	\$ 55.00
Right-of-Way Excavation and Encroachment (Civil penalties apply for failure to obtain permit - Reference Town Code 93.028)	\$ 50.00
Remedy of Nuisance Violation (offenses within one calendar year)	1 st offense: \$150.00 or actual cost incurred by Town, whichever is greater plus \$25.00 administrative fee 2nd offense: \$225.00 or actual cost incurred by Town, whichever is greater plus \$25.00 administrative fee 3rd offense: \$350.00 or actual cost incurred by Town, whichever is greater plus \$25.00 administrative fee

Temporary Family Health Care Structure	\$100.00
Temporary Family Health Care Structure Annual Renewal Fee	\$ 50.00
(Ref Ordinance 2021-O3 5/24/2021)	
Small Wireless Facilities (per location, up to 5)	\$100.00
Small Wireless Facilities (each location after 5)	\$150.00
(Ref Ordinance 2021-O3 5/24/2021)	

SOLID WASTE COLLECTION

Residential	\$21.93/month
Commercial	\$36.62/month

Note: Commercial establishments may request property review to determine whether they qualify of waste and recycling carts – Residential and Commercial (if qualify) may receive up to 3 carts each, but carts may not be switched out. The fee provides 1 waste cart and 1 recycling cart. The solid waste contract does not provide for citizen/business to get 2 recycling carts in lieu of 1 waste and 1 recycling cart. The fee for additional carts is \$21.93 for Residential and \$36.62 for Commercial.

STORMWATER UTILITY FEE

Residential Tier

\$5.00 flat fee/month/residence

Commercial Tier

Minimum Fee \$5.00/month or .01/Square Foot whichever is greater.

Example 10,000 SF of impervious surface = \$8.33/month

Note:

A credit for one month shall be applied if payments are made ~~in advanced of semi-annual installments (i.e. lump sum for total annual fee during the first billing in July)~~ by **September 30th** for both commercial and residential parcels. Residential and Commercial parcels that implement methods to reduce impacts of runoff shall be eligible for an additional one month's credit (See Credit Manual for Stormwater Fees for detail). An application must be filed with the Town Manager consistent with credit manual adopted by the Board of Commissioners.

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BEER & WINE LICENSE TAX SCHEDULE

BEER & WINE DEALERS *[NCGS 18-69, 18-74, 105-113.79]*

(a) On premises, retail (BEER)	\$15.00
(b) Off premises, retail (BEER)	\$ 5.00
(c) On premises, retail (WINE)	\$15.00
(d) Off premises, retail (WINE)	\$10.00
(c) Wholesale dealers	\$37.50
If both wholesale of beer and wine on same license	\$62.50

MISCELLANEOUS FEES

Request Copies of Public Documents	8x11	\$0.25 per page
	8x14	\$0.35 per page
	11x17	\$0.50 per page
	Color copies \$1.00/page (any size)	
Town Documents on Thumbdrive	\$5.00 per Thumbdrive	
Request Copies of Various Town Meetings	\$5.00 per Thumbdrive	
Fax Services	\$1.00/sheet local \$1.50/sheet long distance	
Express Research Service (under 24 hours)	\$10.00/hr	
Certificate of Convenience Application (Taxi Cabs & Mobile Ice Cream Vendors)	\$100.00	
Food Trucks	\$500 annually \$100 daily \$50 Zoning	
Return Check Fee	\$30.00	
Credit Card Convenience Fee	2.5% of actual charge	
Duplicate copy of Privilege License (beer/wine)	\$5.00	
Fingerprinting	\$10.00	
Police Reports	\$5.00	
Golf Cart Registration Application	\$25.00	
Re-inspections for initially failed golf cart inspections	\$10.00	
Replacement of lost registration stickers for golf carts	\$5.00	
Special Detail/Extra-duty Police Services	Police Officers	\$25.50/hr

MEETING ROOM RENTAL FEES

<u>Old Town Hall Assembly Room/502 Church St.</u>			<u>Town Hall Board Room/601 W. Corbett Ave.</u>	
	<i>Resident/Non-Resident</i>		<i>Resident/Non-Resident</i>	
Facility Use Fee	\$75/hour	\$100/hour	\$100/hour	\$125/hour
Kitchen/Multi-Use Space	\$25/hour	\$50/hour	NA	
Attendant Fee	\$15/hr.		\$15/hr.	
Damage/Cleanup Deposit	\$100		\$100	
<u>Refunds for Event Cancellations</u>				
Cancellation at least 14 days in advance			Full refund	
Cancellation at least 48 hours in advance			Facilities Use fee, less 2 hours use fee	
Cancellation less than 48 hours in advance			No refund	

PARK FACILITIES FEES

Facility	In-Town Resident	Out-of-Town Resident
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Municipal Park

Municipal Park Tennis Courts	\$10/hour	\$15/hour
Municipal Park Basketball Courts	\$10/hour	\$15/hour
Municipal Park Large Picnic Shelter	\$15/hour	\$25/hour
Municipal Park Medium Picnic Shelter	\$10/hour	\$15/hour
Municipal Park Athletic Fields	\$20/hour	\$30/ hour

Riverview Park

Riverview Park Small Picnic Shelter	\$10/hr	\$15/hr
Riverview Park Large Covered Deck	\$25/hour	\$40/hour

Downtown "Harry Pugliese" Pavilion

Downtown Park Bandstand/Pavilion (2 hour minimum required)	\$50/hour	\$75/hour
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Pirates Den Park

Pirates Den Park Large Picnic Shelter	\$15/hour	\$25/hour
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Pineland Park

Pineland Park Picnic Shelter	\$15/hour	\$25/hour
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<u>Parks Open Space/Church Street Gazebo Usage Permit</u>	\$25	\$40
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Permit with Reservation

Any item being brought into the park (i.e: additional grill, tent, inflatable, DJ)	\$10	\$15
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Town Dock at Church Street

\$1.50 per ft./per night	\$5 Power	\$35/Pump out
<u>Special Event Permit \$100</u>		

Dog Park Registration

Residents - No Fee

Non-Resident 1st Dog \$15/year Additional Dog \$10 per additional dog

Fitness Membership Fees

	Resident	Non-Resident
Daily Pass	\$5	\$10
Weekly Pass	\$20	\$40
Monthly Individual Pass	\$30	\$60
Monthly Family Pass	\$40	\$80
Annual Membership		
Individual	\$75	\$150
Family	\$125	\$250
**Annual Membership after Aug 1		
Individual	\$40	\$75
Family	\$60	\$125
Town of Swansboro Employees		
Individual/Family	Free	Free

Rentals Fees

	Resident	Non Resident
Swansboro Recreation Center:		
Damage/Cleanup Deposit	\$100	\$100
Lounge/Game Room	\$20/hr	\$40/hr
Recreation Classroom	\$20/hr	\$40/hr
Multipurpose/Arts and Crafts Room	\$30/hr	\$50/hr
i. Kitchen Use	\$10/hr	\$20/hr
Permit for Outside Items (i.e.- grill, tent)	\$10	\$15
Additional Staff Hours	\$15/hr	\$15/hr
ii. (for reservations outside of normal operating hours)		

Program registration fees and event fees are determined by type and residency.

Instructors using space in parks are required to partner with the Parks & Recreation Dept. or reserve space.

Town of Swansboro
Salary Schedule FY 2022-23

GRADE	Minimum	Maximum
11	33,061.97	49,821.10
12	34,715.07	51,813.94
13	35,832.67	55,263.62
14	38,306.73	57,828.32
15	39,065.84	64,249.34
16	42,245.45	65,534.33
17	44,444.50	66,427.79
18	45,405.49	71,213.17
19	47,675.76	74,773.83
20	50,172.33	77,598.14
21	52,585.62	100,582.59
22	55,214.90	101,085.50
23	59,371.26	101,843.64
24	61,068.70	102,352.86
25	64,952.83	103,831.21
26	67,933.22	104,854.93
27	71,329.88	106,952.03
28	74,896.37	112,299.62
29	78,641.19	117,914.61
30	82,573.25	123,810.34

This Salary Schedule was hereby adopted by the Board of Commissioners in regular session on June 13, 2022 which reflects the approved 3% COLA for the 2022/2023 fiscal year.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Budget Ordinance Amendment #2022-11**

Board Meeting Date: **June 13, 2022**

Prepared By: **Sonia Johnson, Finance Director**

Overview:

1. Admin Services: Following comments received at various advisory boards levels (Historic Preservation and Planning Board) on the Special Use Permit requested by Jack Harnatkiewicz to construct additional dockage at 147 Front Street, the Board directed Staff to seek an additional maritime expert statement.

Attorney Parson identified Geosyntec Consultants of NC, P.C. for such statement. The cost of that review and statement is \$8500. Requesting \$8,500 to be appropriated from fund balance for its intended purpose.

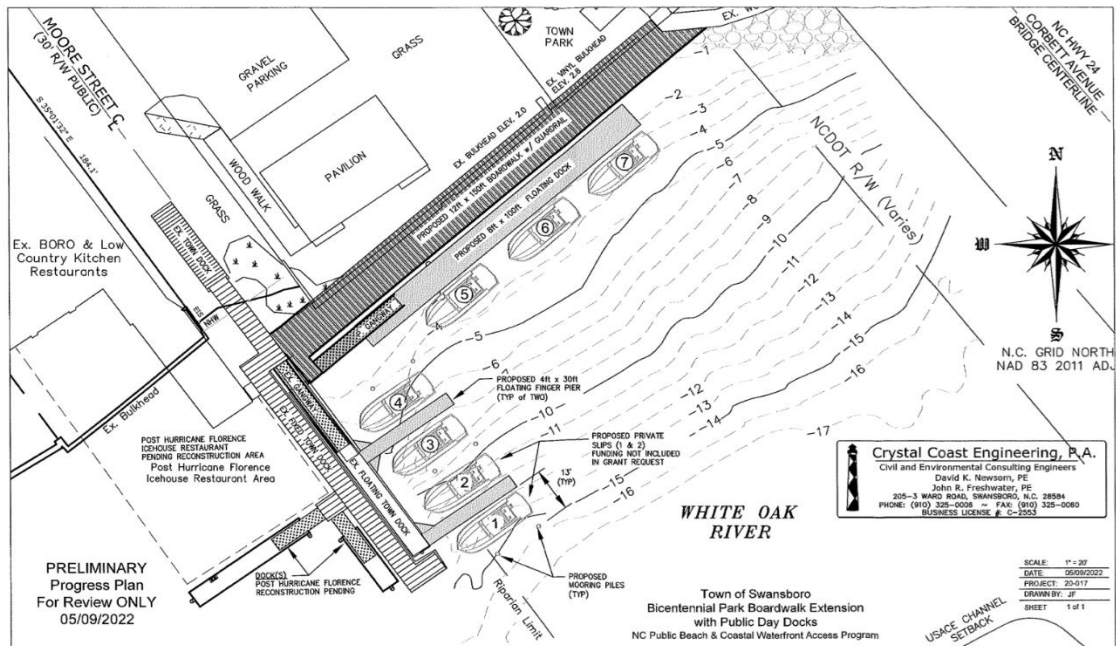
Source of funds: Appropriated Fund Balance

2. The Town received notification on November 3, 2020 that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350 with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9000 cash contribution. The project will include the following:
 1. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
 2. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.

Acceptance of the grant was delayed due to COVID and management turnover.

During the delay, the previous business (Pogies) that housed a private kayak launch, relocated and took the kayak launch with them. This allowed the engineer to add one additional slip where the kayak launch was when preparing the final plans for permit modification – a total of 7 slips. In preparing the final drawings, the engineer and surveyor then discovered that the normal low water depth was a foot lower than thought. Solutions included eliminating slip 7 or adding a small amount of dredging near the shoreline at an estimated cost of \$3000-5000. Staff recommends an amendment of \$5000 for dredging to preserve the additional slip.

Action: _____



Requesting \$14,000.00 to be appropriated from fund balance for
Source of funds: Appropriated Fund Balance

Recommended Action:

1. Motion to approve Budget Ordinance Amendment #2022-11
2. Grant Project Ordinance for Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Gant Project

Background Attachment(s):

1. Budget Ordinance Amendment #2022-11
2. Grant Project Ordinance for Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Gant Project

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FY 21/22

BUDGET ORDINANCE AMENDMENT #2022-11

BE IT ORDAINED by the Board of Commissioners of the Town of Swansboro that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2022:

Section 1. To amend the General Fund budget, the following changes are to be made:

<u>Appropriations</u>	<u>Increase</u>
Admin Services	\$8,500
Non-Departmental	\$14,000

<u>Revenues</u>	<u>Increase</u>
Appropriated Fund Balance	\$22,500

Section 2. Copies of this budget amendment shall be furnished to the Town Clerk, the Budget Officer, and the Finance Director, to carry out their duties.

Adopted by the Board of Commissioners in regular session, June 13, 2022.

Attest:

John Davis, Mayor

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Adopting a Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project**

Board Meeting Date: **June 13, 2022**

Prepared By: **Sonia Johnson, Finance Director**

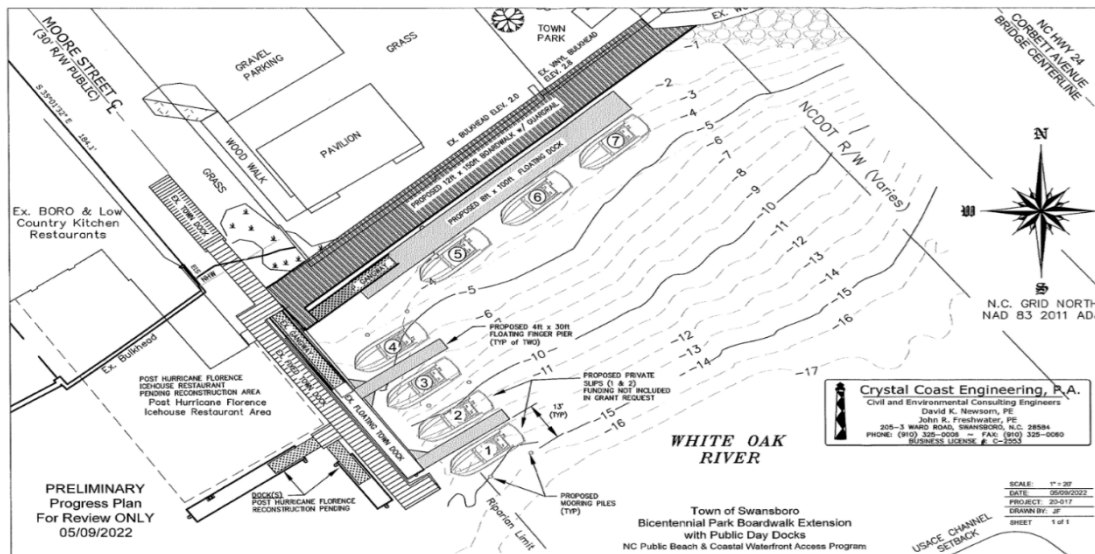
Overview:

1. The Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350 with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution. The project will include the following:
 1. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
 2. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.

Acceptance of the grant was delayed due to COVID and management turnover.

During the delay, the previous business (Pogies) that housed a private kayak launch, relocated and took the kayak launch with them. This allowed the engineer to add one additional slip where the kayak launch was when preparing the final plans for permit modification – a total of 7 slips. In preparing the final drawings, the engineer and surveyor then discovered that the normal low water depth was a foot lower than thought. Solutions included eliminating slip 7 or adding a small amount of dredging near the shoreline at an estimated cost of \$3,000-\$5,000. Staff recommends an amendment of \$5,000 for dredging to preserve the additional slip.

Action: _____



Recommended Action: Motion to approve Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project.

Background Attachment(s):

1. Grant Project Ordinance for Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project

**Grant Project Ordinance for
Swansboro Bicentennial Park Boardwalk Extension
with Public Day Docks Project**

Section 1. Name. A grant ordinance fund is created, entitled Grant Project Ordinance for Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project

Section 2. Revenues. The following revenues are available for this grant project:

NC Public Beach and Coastal Waterfront Access Program	\$142,350
Local non-cash/in-kind	\$ 7,000
Transfer from General Fund (Cash match-\$9000; Dredging-\$5,000)	\$ 14,000

Section 3. Expenses. The following amounts are hereby appropriated within the fund for the implementation of the grant ordinance.

Design and Construction	\$163,350
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Section 4. Effective Date. This ordinance shall be effective upon its adoption, provided that no expenses shall be incurred in this fund prior to June 13, 2022.

Adopted by the Swansboro Board of Commissioners in regular session, June 13, 2022.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **June 13, 2022**

Prepared By: **Alissa Fender - Town Clerk/Admin Services Director**

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.

Proposed for June 27, 2022

- * Parks & Rec Month
- * Text Amendment/Town Code Chapter 74 Traffic Schedules - VI. Speed limits
- * Audit Contract
- * ARP Policies/Ordinance
- * Financial Report

Proposed for July 11, 2022

Proposed for July 25, 2022

- * Financial Report

} Special Use Permit/Starbucks

Future Agenda Items

- * American Rescue Plan Funding Recommendations (updates)
- * Further LUP Review/Amendments
- * Comprehensive Transportation Plan Revisions
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Sub-committee designations for Strategic Plan Implementation
(*Eco Dev Committee est. Oct 2020*)
- * Shipwrights Point Phase II Street Acceptance (*Tentative*)
- * Historic Preservation Commission Recommendations (Joint Meeting Items)
- * Visitor's Center Improvements
- * Building Standards
- * Zoning Map & Table of Uses Amendments (possible)
- * EOC Discussion (ongoing)
- * **Public Hearing - Special Use Permit/147 Front Street (*Property posting and adjacent property notices must be made at least 10 days prior to hearing*)**
- * Ward Shore Project Additional Alternatives
- * Additional Sidewalk Priorities
- * Joint Meeting with Planning Board & Stewart Engineering (*will schedule meeting after SUP public hearings held*)
- * Joint Meeting with Historic Preservation Commission
- * Meeting format discussion

August Meetings:

Regular – 8th

Regular – 22nd