

Table of Contents

Agenda	2
Tax Refund Request	
Agenda Memo	7
160D Amendments	
Agenda Memo and Ordinance	8
Red Fish Tournament Series Rental Fee Reduction Request	
Agenda Memo	59
Parks and Recreation Comprehensive Master Plan Update	
Agenda Memo	60
April Financial Report	
Report 4/30/21	62
FY 21/22 Budget Discussion	
Agenda Memo	71
FY 21.22 Draft Budget.3	72
Future Agenda Items	
Agenda Memo	94
Manager's Brief	
5.24.2021 Report	95
Emergency Operations Center Update	
Report.	102
Departments Report - April	
April 2021	114



BOARD OF COMMISSIONERS MEETING AGENDA

Town of Swansboro

Monday, May 24, 2021

Board Members

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

*Zoom Link: First Meeting of the month: <https://us02web.zoom.us/j/82680161743>

Second Meeting of the month: <https://us02web.zoom.us/j/86147603054>

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. Tax Refunds

The Onslow County Tax Collector recommends refunds of the below listed taxes totaling \$105.13.

Vehicle Tax

Hughes, Nolan Kyle \$69.41 Military

Peters, Delores Jean \$35.72 Tag Surrender

IV. Appointments/Recognitions/Presentations - None

V. Public Hearing - None

VI. Business Non-Consent

a. 160D Amendments

Jennifer Ansell
Planner

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

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

Planning Board Recommendation: At their April 6, 2021 regular meeting, the Planning Board recommended approval of the proposed changes to the Town Code of Ordinances, Unified Development Ordinance and Fee Schedule. The vote was 4 to 1.

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

Action Needed: 1) Close the Public Hearing; and
2) Motion to approve, deny or table Ordinance 2021-O3, and
adopt one of the statements of consistency

b. Red Fish Tournament Series Rental Fee Reduction Request

Anna Stanley
Parks/Rec Director

Michael Mattice has submitted an event application for the Redfish Madness Tournament Series to be held on June 12, July 10, and August 14, 2021 in downtown Swansboro at the Pugliese Pavilion from 9am-6pm each day. This will be the second year for the tournament series and last year the event brought 45 2-man teams per event to the area. In addition to the tournament,

they will offer kids activities, entertainers, and at the August 14 event, they will also host the local CCA Kids Tournament. Organizers expect the series to bring approximately 200 people downtown each day.

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

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

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

c. Parks and Recreation Comprehensive Master Plan Update

Anna Stanley
Parks/Rec Director

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

Originally the Parks and Recreation Department requested \$50,000 to complete an update to the 2008 plan. Due to the pandemic all projects were suspended and would be re-evaluated mid-year. At the beginning of the year, the Board of Commissioners expressed that they would like to see a reduction in the cost to complete an updated plan and requested the department submit Request for Proposals (RFP). The

department submitted an RFP to eight consulting firms and posted on the North Carolina Park and Recreation Association list serve. Five RFPs were submitted to the Parks and Recreation Department. The cost of an updated comprehensive plan ranges from \$28,500 to \$76,000.

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

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

d. April Financial Report

Sonia Johnson
Finance Director

Action Needed: Receive Report

e. FY 21/22 Budget Discussion

Chris Seaberg
Town Manager

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

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

f. Future Agenda Items

Paula Webb
Asst Manager/Clerk

An opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

Action Needed: Discuss, introduce items of interest and subsequent direction on future agenda items.

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 Report/Comments

Manager's Brief

Emergency Operations Center Update

Departments Report - April

Chris Seaberg

Town Manager

X. Board Comments

Board of Commissioners

XI. Closed Session - None

XII. Adjournment

Board of Commissioners



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Tax Refund Request**

Board Meeting Date: **May 24, 2021**

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

Overview:

The Onslow County Tax Collector recommends refunds of the below listed taxes totaling \$105.13.

Vehicle Tax

Hughes, Nolan Kyle	\$69.41	Military
Peters, Delores Jean	\$35.72	Tag Surrender

Recommended Action:

Motion to approve refunds as recommended by Onslow County.

Reviewed By:

Town Manager _____
Town Clerk 5/20/21

Finance Director 5/20/21
Town Attorney _____

Date Action Approved by Board: _____ Action if different from Recommended:



Board of Commissioners Meeting Agenda Item Submittal

Item to Be Considered: **Chapter 160D Amendments**

Board Meeting Date: **May 24, 2021**

Prepared By: **Jennifer Ansell, Planner**

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

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

Planning Board Recommendation: At their April 6, 2021 regular meeting, the Planning Board recommended approval of the proposed changes to the Town Code of Ordinances, Unified Development Ordinance and Fee Schedule. The vote was 4 to 1.

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

Action Needed: 1) Close the Public Hearing; and
2) Motion to approve, deny or table Ordinance 2021-O3, and adopt one of the statements of consistency below:

Per § 160A-383, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements which shall not be subject to judicial review:

- 1) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest;
- 2) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest; or

Reviewed By:

Town Manager _____
Town Clerk 5/20/21

Finance Director _____
Town Attorney _____

Date Action Approved by Board: _____ Action if different from Recommended:

- 3) A statement approving the zoning amendment and containing at least all of the following:
 - a. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.
 - b. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.
 - c. Why the action was reasonable and in the public interest.

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes:

- to provide adequate light and air;
- to prevent the overcrowding of land;
- to avoid undue concentration of population;
- to lessen congestion in the streets;
- to secure safety from fire, panic, and dangers; and
- to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land.

Background Attachments

Proposed Ordinance 2021-O3

Planning Board Statement of Consistency

UNC SOG 160D Checklist

ORDINANCE 2021-03
AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES,
UNIFIED DEVELOPMENT ORDINANCE AND SCHEDULE OF FEES TO
INCORPORATE THE NORTH CAROLINA GENERAL STATUTES
CHAPTER 160D AMENDMENTS AND ALIGN THE ORDINANCES
WITH STATE LAW

WHEREAS North Carolina General Statute 160A-383 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160A-383 also states that when adopting or rejecting any zoning amendment, the governing board shall approve a statement describing whether its action is consistent with an adopted Comprehensive Plan and any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest; and

WHEREAS the Board of Commissioners finds that the proposed text amendment is consistent with the current Comprehensive Plan, and considers the action taken to be reasonable and in the public interest because it will align the existing ordinances with state law.

NOW BE IT ORDAINED by the Board of Commissioners of the Town of Swansboro that:

The Town of Swansboro Town Code of Ordinances, Unified Development Ordinance and Schedule of Fees are amended as follows:

TOWN OF SWANSBORO, NORTH CAROLINA
CODE OF ORDINANCES

TITLE I: GENERAL PROVISIONS
CHAPTER 11: EXTRATERRITORIAL JURISDICTION BOUNDARIES

§ 11.02 ADDITIONAL BOUNDARIES.

(A) The area described as follows is hereby added to the town's Extraterritorial Jurisdiction area pursuant to the provisions of G.S. ~~§160A-360~~ 160D-202, and the ordinance establishing Extraterritorial Jurisdiction Boundaries for the town.

§ 11.03 AUTHORITY IN THE EXTRATERRITORIAL AREA.

The town may not exercise any power in its extraterritorial jurisdiction that it is not exercising within its corporate limits. The town may exercise in its extraterritorial area all powers that it is exercising within its corporate limits, however, if a city fails to extend a particular type of development regulation to the extraterritorial area, the county may elect to exercise that particular type of regulation in the extraterritorial area

§ 11.04 COUNTY APPROVAL OF CITY JURISDICTION.

The town may not extend its extraterritorial powers into any area for which the county has adopted and is enforcing county zoning and subdivision regulations. However, the town may do so where the county is not exercising both of these powers, or when the town and the county have agreed

upon the area within which each will exercise the powers. The Town may not extend its extraterritorial powers beyond one mile from its corporate limits without the approval of the board of county commissioners with jurisdiction over the area.

§ 11.05 PROPOSED JURISDICTION CHANGE.

If the town proposes to exercise extraterritorial jurisdiction, it shall notify the owners of all parcels of land proposed for addition to the area of extraterritorial jurisdiction, as shown on the county tax records. The notice shall be sent by first-class mail to the last addresses listed for affected property owners in the county tax records. The notice shall inform the landowner of the effect of the extension of extraterritorial jurisdiction, of the landowner's right to participate in a legislative hearing prior to adoption of any ordinance extending the area of extraterritorial jurisdiction, as provided in G.S. 160D-601, and of the right of all residents of the area to apply to the board of county commissioners to serve as a representative on the planning board and the board of adjustment, as provided in G.S. 160D-307.

The notice shall be mailed at least 30 days prior to the date of the hearing. The person or persons mailing the notices shall certify to the city council that the notices were sent by first-class mail, and the certificate shall be deemed conclusive in the absence of fraud.

The town shall adopt an ordinance specifying the areas to be included based upon existing or projected urban development and areas of critical concern, as evidenced by officially adopted plans for its development. The boundaries specified in the ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a combination of these techniques. This delineation shall be maintained in the manner provided in G.S. 160D-202 for the delineation of the corporate limits and shall be recorded in the office of the register of deeds of each county in which any portion of the area lies.

§ 11.06 SPLIT JURISDICTION.

If a parcel of land lies within the planning and development regulation jurisdiction of the town and another local government, the town and local government may, by mutual agreement and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction for the entire parcel to either government. Such a mutual agreement shall only be applicable to development regulations and shall not affect taxation or other nonregulatory matters.

The mutual agreement shall be evidenced by a resolution formally adopted by each governing board and recorded with the register of deeds in the county where the property is located within 14 days of the adoption of the last required resolution.

§ 11.07 PENDING JURISDICTION.

After consideration of a change in jurisdiction has been formally proposed, the town may receive and process proposals to adopt development regulations and any application for development approvals that would be required. No final decisions shall be made on any development approval prior to the actual transfer of jurisdiction. Acceptance of jurisdiction, adoption of development regulations, and decisions on development approvals may be made concurrently and may have a common effective date.

§ 11.08 LOCAL ACTS.

Nothing in this section shall repeal, modify, or amend any local act that defines the boundaries of the town's extraterritorial jurisdiction by metes and bounds or courses and distances.

§ 11.09 EFFECT ON VESTED RIGHTS.

Whenever the town acquires jurisdiction over a territory that theretofore has been subject to the jurisdiction of another local government, any person who has acquired vested rights in the surrendering jurisdiction may exercise those rights as if no change of jurisdiction had occurred.

The town may take any action regarding such a development approval, certificate, or other evidence of compliance that could have been taken by the local government surrendering jurisdiction pursuant to its development regulations. Any building, structure, or other land use in a territory over which the town has acquired jurisdiction is subject to the development regulations of the Town of Swansboro.

TITLE XV: LAND USAGE

CHAPTER 150: BUILDING REGULATIONS

INSPECTION DEPARTMENT

§ 150.30 DUTY OF INSPECTION DEPARTMENT.

The Inspection Department shall be charged with enforcing the provisions of G.S. §§ 160D-1104A-426 through 160A-434, relating to the condemnation, repair and demolition of unsafe buildings upon the direction of the Board, construction of buildings and other structures, the installation of plumbing systems, electrical systems, heating systems, refrigeration systems, and air-conditioning systems, the maintenance of buildings and other structures in a safe, sanitary, and healthful condition, and other matters that may be specified by the Board of Commissioners.

§ 150.32 CONFLICTS OF INTEREST.

No officer or employee of the Inspection Department shall be financially interested or employed by a business that is financially interested in the furnishing of labor, material or appliances for the construction, alteration or maintenance of any building or any part thereof, or in the making of plans or specifications therefor, unless he/she is the owner of the building within the Town's planning and development regulation jurisdiction or any part or system thereof, or in the making of plans or specifications therefor, unless he is the owner of the building. No officer or employee of the Inspection Department shall engage in any work which is inconsistent with his/her duties or with the interests of the town.

§ 150.33. FAILURE TO PERFORM DUTIES.

If any member of an inspection department shall willfully fail to perform the duties required by law, or willfully shall improperly issue a building permit, or shall give a certificate of compliance without first making the inspections required by law, or willfully shall improperly give a certificate of compliance, the member shall be guilty of a Class 1 misdemeanor.

PERMITS

§ 150.47. REVOCATION OF BUILDING PERMITS.

The inspector may revoke and require the return of any building permit by notifying the permit holder in writing stating the reason for the revocation. Building permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable State or local laws; or for false statements or misrepresentations made in securing the permit. Any building permit mistakenly issued in violation of an applicable State or local law may also be revoked.

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

GENERAL PROVISIONS

§ 152.004 JURISDICTION.

(A) This chapter shall be effective throughout the town's planning jurisdiction. The town's planning jurisdiction comprises the area within the town as shown on the "Official Zoning Map" for the Town of Swansboro. Such planning jurisdiction may be modified from time to time in accordance with G.S. ~~160A-360~~ 160D-201 through 204.

(B) In addition to other locations required by law, a copy of the official zoning map showing the boundaries of the town's planning jurisdiction shall be available for public inspection in the Town of Swansboro Town Clerk's Office.

(C) ~~With the exception of intensive livestock operations, the provisions of this chapter shall in no way regulate or prohibit any bona fide farm and its related accessory uses within the Town of Swansboro's Extraterritorial Jurisdiction (ETJ). Residences for non-farm use or occupancy and other non-farm uses shall be subject to the provisions of this chapter.~~

(D) No land owned by the State of North Carolina may be included within an overlay district or ~~a special use or~~ conditional zoning district without approval by the Council of State ~~or its delegate~~ as required by G.S. ~~160A-392~~ 160D-913.

§ 152.016 DEFINITIONS OF BASIC TERMS.

ACCESSORY STRUCTURE. A use or structure on the same lot with, but of a nature customarily incidental and subordinate to the principal use or structure and which contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or use being served. No temporary storage unit (as defined in § 152.016) shall be considered an accessory use or structure. However, structures which have been manufactured to resemble permanent structures, such as storage sheds, garden sheds, and similar structures shall be considered accessory uses or structures, even though they may be capable of being lifted or disassembled and removed from the property. There are no regulations on the number and/or

location of accessory buildings located on property ~~which has a tax farm identification number used for bona fide farm purposes.~~

ADMINISTRATIVE DECISION. Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards. These are sometimes referred to as ministerial decisions or administrative determinations.

ADMINISTRATIVE HEARING. A proceeding to gather facts needed to make an administrative decision.

BONA FIDE FARM. ~~Any tract of land larger than ten acres and otherwise eligible for tax deferral as authorized in G.S. §105-277.1 et seq. shall be considered a BONA FIDE FARM. Any tract of land on which agricultural activities are clearly of an incidental nature may also be considered as a BONA FIDE FARM upon determination by the Administrator upon consideration of agricultural productivity and improvements, and any other necessary or available information. BONA FIDE FARMS do not include intensive livestock operations.~~ Includes the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture, as defined in NC G.S. 106-581.1 and 160D-903.

For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- 1) A farm sales tax exemption certificate issued by the Department of Revenue;
- 2) A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3;
- 3) A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return; or
- 4) A forest management plan.

CLOSE FAMILIAL RELATIONSHIP. A spouse, parent, child, brother, sister, grandparent, or grandchild. This term also includes step, half, and in-law relationships.

COMMUNITY. A group of people who live in the same area (such as a neighborhood). For the purposes of meeting the requirement of the community meetings before public hearing for a conditional zoning ~~district~~, the area shall be defined as a one-mile radius from the center of the applicant's proposed request.

COMPREHENSIVE PLAN. The comprehensive plan, CAMA land-use plan, small area plans, neighborhood plans, transportation plan, capital improvement plan, and any other plans regarding land use and development that have been officially adopted by the Board of Commissioners.

CONDITIONAL ZONING DISTRICT (CD). A zoning district that permits a particular use or uses established in accordance with specified standards and conditions tailored to each individual project. **CONDITIONAL ZONING DISTRICTS** are established in accordance with the requirements of § 152.180 Note 1.

CONDITIONAL ZONING DISTRICT (CZ). A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

DECISION-MAKING BOARD. A governing board, planning board, board of adjustment, historic district commission, or other board assigned to make quasi-judicial decisions.

DETERMINATION. A written, final, and binding order, requirement, or determination regarding an administrative decision.

DEVELOPER. Any person, firm, trust, partnership, association, or corporation engaged in development, or proposed development, of housing, commercial, or industrial projects. A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

DEVELOPMENT. Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Unless the context clearly indicates otherwise, the term means any of the following:

- a) The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure;
- b) The excavation, grading, filling, clearing, or alteration of land;
- c) The subdivision of land as defined in G.S. 160D-802; or
- d) The initiation or substantial change in the use of land or the intensity of use of land.

DEVELOPMENT AGREEMENT. An agreement entered into between the governing body (Town Board of Commissioners) and a developer to better structure and manage development approvals for large scale, multiple-phase developments to ensure their integration into local capital facilities programs. A **DEVELOPMENT AGREEMENT** is subject to the approval of a Conditional Zoning District (CZD).

DEVELOPMENT APPROVAL. An administrative or quasi-judicial approval that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals including plat approvals, permits issued, development agreements entered into, and building permits issued. Unless provided otherwise by law, all rights, privileges, benefits, burdens, and obligations created by development approvals attach to and run with the land.

DEVELOPMENT REGULATION. A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code, or any other regulation, local act or charter that regulates land use or development.

DWELLING. Any building, or portion thereof, which is designed for living and/or sleeping purposes. This shall not include a motel, residential lodging facilities, or other building designed as a transient residence. Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used. The term does not include any transient residence or recreational vehicle if used solely for a seasonal vacation purpose.

EVIDENTIARY HEARING. A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation.

FALL ZONE. The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.

FAMILY CARE HOME. A facility designed to care for a maximum of six handicapped persons, plus support and supervisory personnel, as defined in G.S. §168-21.

A home with support and supervisory personnel that provides room and board, personal care, and habilitation services in a family environment for not more than six resident persons with disabilities. As provided in 160D-907, a person with disabilities is a person with a temporary or permanent physical, emotional, or mental disability, including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments, but does not include mentally ill persons who are dangerous to others as defined in G.S. 122C-3(11)b.

GOVERNING BOARD. The Town of Swansboro Board of Commissioners.

LANDOWNER. Any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representatives of such owner. The holder of the title in fee simple. Absent evidence to the contrary, the county tax records shall be utilized to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

LEGISLATIVE DECISION. The adoption, amendment, or repeal of a regulation or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement.

LEGISLATIVE HEARING. A hearing to solicit public comment on a proposed legislative decision.

LOCAL ACT. As defined in G.S. 160A-1(5), an act of the General Assembly applying to one or more specific cities by name, or to all cities within one or more specifically named counties. "Local act" is interchangeable with the terms "special act," "public-local act," and "private act".

MANUFACTURED HOME. ~~A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained herein. MANUFACTURED HOME includes any structure that meets all of the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§5401 et seq.~~

As defined by G.S. 143-145(7), a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq.

For manufactured homes built before June 15, 1976, "manufactured home" means a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width. "Manufactured home" also means a double-wide manufactured home, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

MANUFACTURED HOME (MOBILE HOME) CLASS A. A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

- (1) The home has a length not exceeding four times its width;
- (2) The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
- (3) The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
- (4) A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the home; and

(5) The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

~~**MANUFACTURED HOME (MOBILE HOME) CLASS B.** A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A manufactured home.~~

~~**MANUFACTURED HOME (MOBILE HOME) CLASS C.** Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home. **CLASS C MANUFACTURED HOMES** are not permitted within the Town of Swansboro's planning jurisdiction.~~

MULTIPHASE DEVELOPMENT. A development containing 25 acres or more that is submitted for site plan approval for construction to occur in more than one phase and is subject to a master development plan with committed elements showing the type and intensity of use of each phase.

PLANNING AND DEVELOPMENT REGULATION JURISDICTION. The geographic area within which the Town may undertake planning and apply its development regulations.

PLANNING BOARD. A body appointed by the Swansboro Board of Commissioners and the Onslow County Board of Commissioners to perform duties as specified in G.S. 160D-301G.S. §160A-361. The Onslow County Board of Commissioners shall only appoint extraterritorial jurisdiction members.

QUASI-JUDICIAL DECISION. A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

SITE PLAN. A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

SITE-SPECIFIC VESTING PLAN. A plan describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a planned unit development plan, a subdivision plat, a site plan, a preliminary or general development plan, a special use permit, a conditional zoning, or any other development approval as may be used by the Town. Unless otherwise expressly provided, the plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways.

SMALL WIRELESS FACILITY. A wireless facility where each antenna is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than 6 cubic feet. Other wireless equipment associated with the facility shall have a cumulative volume of no more than 28 cubic feet.

SPECIAL USE PERMIT. A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.

SUBDIVISION. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition:

The division of land for the purpose of sale or development as specified in G.S. 160D-802:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the ~~municipality~~ **Town** as shown in its subdivision regulations;
- (2) The division of land into parcels greater than ten ~~(10)~~ acres where no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors; ~~and~~
- (4) The division of a tract in single ownership whose entire area is no greater than two ~~(2)~~ acres into not more than three ~~(3)~~ lots, where no street right-of-way dedication is involved and where the resultant lots are equal or exceed the standards of the ~~municipality~~ **Town**, as shown on its subdivision regulations; ~~and~~
- (5) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.**

WIRELESS TELECOMMUNICATION TOWER FACILITIES. A ~~tower~~ wireless support facility including, but not limited to, radio and television transmission towers or similar utilities,

microwave towers, and mobile telephone or radio towers, and their associated equipment to include radio transceivers, antennas, wires, coaxial or fiber-optic cable, and regular and backup power supplies. This term shall not include radio transmission facilities for use by ham radio operators or two-way local radio facilities for business or governmental purposes that are under 100 feet in height and that, at a height of 50 feet above the base, have a maximum horizontal measurement of eighteen inches nor shall it include any tower erected by a public authority for public safety or emergency service communication purposes.

TELECOMMUNICATION TOWER, CO-LOCATION. The location of multiple antennas on a single telecommunication tower. The installation of wireless antennas or small wireless facilities on, under, or within existing wireless towers, utility poles, water towers, buildings, and other structures. The term does not include the installation of new utility poles or wireless support structures.

TEMPORARY FAMILY HEALTH CARE STRUCTURE. A transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that is primarily assembled at a location other than its site of installation, is limited to one occupant who shall be the mentally or physically impaired person, has no more than 300 gross square feet, and complies with all applicable provisions of the State Building Code and G.S. 143-139.1(b).

VESTED RIGHT. The right to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or an approved phased development plan, as secured as specified in G.S. 160D-108 or under common law.

ZONING MAP AMENDMENT OR REZONING. An amendment to a zoning regulation to change the zoning district that is applied to a specified property or properties. The term does not include the initial adoption of a zoning map by a local government or the repeal of a zoning map and readoption of a new zoning map for the entire planning and development regulation jurisdiction, nor updating the zoning map to incorporate amendments to the names of zoning districts made by zoning text amendments where there are no changes in the boundaries of the zoning district or land uses permitted in the district. It does include the initial application of zoning when land is added to the territorial jurisdiction of a local government that has previously adopted zoning regulations, as well as the application of overlay zoning districts or conditional zoning districts.

ADMINISTRATIVE MECHANISMS

§ 152.030 BOARD OF ADJUSTMENT.

(C) ~~Filing for interpretation appeals and variances.~~ Appeals from the enforcement and interpretation of this chapter and appeals for variances may be taken to the Board of Adjustment by any person aggrieved or by any office, department, board, or bureau of the town affected. Based on the Town of Swansboro Schedule of Fees, a fee for the cost of advertising shall be paid to the town for each application to cover the necessary administrative costs and advertising. Notice of an appeal to the Board of Adjustment shall be filed with the Administrator.

An appeal stays all proceedings in furtherance of the action, unless the Administrator certifies to the Board that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property, in which case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of record.

(D) *Power and duties.* The Board of Adjustment shall have the following powers and duties and shall hear and decide all matters upon which it is required to pass under any statute or development regulation.

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any decision made by the Administrator or other administrative officials in the carrying out or enforcing of any provision of the ordinance, and to hear and decide requests for variances when it is alleged that carrying out the strict letter of the ordinance would result in practical difficulties or unnecessary hardships. An appeal may be taken by any person aggrieved or by an official, department, board, or bureau of the town. A concurring vote of four fifths of the Board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. Vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite supermajority if there are no qualified alternates available to take the place of such members.

(4) A member of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with an affected person; or a financial interest in the outcome of the matter.

If an objection is raised to a member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

(5) ~~(a)~~ The Board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent material and substantial evidence in the record. Each quasi-judicial decision shall be reduced in writing and reflect the Board's determination of contested facts and their application of applicable standards. A quasi-judicial decision is effective upon filing the written decision with the clerk to the Board. The decision of the board shall be delivered to the applicant, property owner, or any person who has submitted a written request for a copy prior to the date the decision becomes effective.

~~(b)~~ Every quasi-judicial decision of the Board shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. §160A-393D-1402.

§ 152.031 LAND USE ADMINISTRATOR.

Except as otherwise specifically provided, primary responsibility for administering and enforcing this chapter ordinance may be assigned by the Town Manager to one or more individuals. The person or persons to whom these functions are assigned shall be referred to ~~in this chapter~~ as the "land use administrator" or "administrator".

Duties assigned to staff may include, but are not limited to, drafting and implementing plans and development regulations; determining whether applications for development approvals are

complete; receiving and processing applications for development approvals; providing notices of applications and hearings; making decisions and determinations regarding development regulation implementation; determining whether applications for development approvals meet applicable standards as established by law and local ordinance; conducting inspections; issuing or denying certificates of compliance or occupancy; enforcing development regulations, including issuing notices of violation, orders to correct violations, and recommending bringing judicial actions against actual or threatened violations; keeping adequate records; and any other actions that may be required in order adequately to enforce the laws and development regulations.

No staff member shall make a final administrative decision if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the Town.

§ 152.032 THE BOARD OF COMMISSIONERS.

~~(A)~~ The Board of Commissioners shall have the following powers and duties to be carried out in accordance with these regulations which include, but are not limited to, the following:

(5) ~~(a)~~ To adopt temporary moratoria on any ~~town~~ development approval required by law except for the purpose of developing and adopting new or amended plans or development regulations governing residential uses. The duration of any moratorium shall be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions. Except in cases of imminent and substantial threat to public health or safety, before adopting an ordinance imposing a development moratorium with a duration of 60 days or any shorter period, the Board of Commissioners shall hold a public hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven days before the date set for the hearing. A development moratorium with a duration of 61 days or longer, and any extension of a moratorium so that the total duration is 61 days or longer, is subject to the notice and hearing requirements of G.S. §160A-364. Absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this section shall not apply to any project for which a valid building permit issued pursuant to G.S. §160A-417 is outstanding, to any project for which a conditional zoning district application or special use permit application has been accepted, to development set forth in a site specific or phased development plan approved pursuant to G.S. §160A-385.1, to development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative or quasi-judicial permit or approval, or to preliminary or final subdivisionplats that have been accepted for review by the town prior to the call for public hearing to adopt the moratorium. Any preliminary subdivisionplat accepted for review by the town

prior to the call for public hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium.

(b) Any ordinance establishing a development moratorium must expressly include at the time of adoption each of the following:

1. A clear statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the town and why those alternative courses of action were not deemed adequate;

2. A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium;

3. An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium; and

4. A clear statement of the actions, and the schedule for those actions, proposed to be taken by the Town during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium;

(c) No moratorium may be subsequently renewed or extended for any additional period unless the town shall have taken all reasonable and feasible steps proposed to be taken by the town in its ordinance establishing the moratorium to address the problems or conditions leading to imposition of the moratorium and unless new facts and conditions warrant an extension. Any ordinance renewing or extending a development moratorium must expressly include, at the time of adoption, the findings set forth in divisions (A)(5)(b)1. through 4. of this section, including what new facts or conditions warrant the extension; and

(d) Any person aggrieved by the imposition of a moratorium on development approvals required by law may apply to the appropriate division of the General Court of Justice for an order enjoining the enforcement of the moratorium, and the court shall have jurisdiction to issue that order. Actions brought pursuant to this section shall be set down for immediate hearing, and subsequent proceedings in those actions shall be accorded priority by the trial and appellate courts. In any such action, the Town shall have the burden of showing compliance with the procedural requirements of this subsection.

~~(B)~~ (6) The Board of Commissioners shall hear and decide on conditional zoning district requests.

~~(C)~~ (7) Unless otherwise specifically provided in this chapter, in acting upon conditional zoning district requests or in considering amendments to this chapter or the zoning map, the Board of Commissioners shall follow the regular voting and other requirements as set forth in other provisions of the town code.

~~(D)~~ (8) The Board of Commissioners shall hear all variances related to subdivisions.

~~(E)~~ (9) A Board of Commissioners member shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct substantial and readily identifiable financial impact on the member. shall not vote on any legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the

member. Additionally, a member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

When the Board of Commissioners exercises quasi-judicial functions, no member shall participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote to rule on the objection.

(10) When adopting or rejecting any zoning text or map amendment, the Board of Commissioners shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The plan consistency statement is not subject to judicial review.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the Board of Commissioners that at the time of action on the amendment the Board was aware of and considered the Planning Board's recommendations and any relevant portions of an adopted comprehensive plan.

If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently.

If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the Board of Commissioners statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(11) When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the Board of Commissioners. This statement of reasonableness may consider, among other factors:

- a) the size, physical conditions, and other attributes of the area proposed to be rezoned;
- b) the benefits and detriments to the landowners, the neighbors, and the surrounding community;
- c) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
- d) why the action taken is in the public interest; and
- e) any changed conditions warranting the amendment.

If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the Board of Commissioners statement on reasonableness may address the overall rezoning.

The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement.

§ 152.033 THE PLANNING BOARD.

(A) The Board of Commissioners do hereby create a Planning Board under the authority of G.S. §160A-364D-301.

(6) Powers and duties of the Planning Board shall consist of:

- a) Make studies of the area within its jurisdiction and surrounding areas; To prepare, review, maintain, monitor, and periodically update and recommend to the Board of Commissioners a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
- b) Determine objectives to be sought in the development of the study area; To facilitate and coordinate citizen engagement and participation in the planning process.
- c) Prepare and adopt plans for achieving these objectives;
- ~~d)c~~ Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
- ~~e)d~~ Advise the Board of Commissioners concerning the use and amendment of means for carrying out implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604;
- ~~f)e~~ Exercise any functions in the administrative vein and enforcement of various means for carrying out plans that the Board of Commissioners may direct;
- ~~h~~ Review and comment on proposed zoning text and/or map amendments, and on permit requests. To provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board; and
- g) Perform any other related duties that the Board of Commissioners may direct; and

(B) *Rules of conduct.* Members of the Board may be removed for cause, including violation of any rule stated below.

(2) No Board member shall take part in the hearing, consideration, or determination, of any application in which he/she is reasonably likely to have a direct, substantial, and readily identifiable financial impact with regard to the outcome, vote on any advisory or legislative decision regarding a development regulation where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote to rule on the objection.

(C) Planning Board review and comment.

(1) Initial Zoning. The Planning Board shall prepare or shall review and comment upon a proposed zoning regulation, including the full text of such regulation and maps showing proposed district boundaries. The Planning Board may hold public meetings and legislative hearings in the course of preparing the regulation. Upon completion, the Planning Board shall make a written recommendation regarding adoption of the regulation to the Board of Commissioners.

The Board of Commissioners shall not hold its required hearing or take action until it has received a recommendation regarding the regulation from the Planning Board. Following its required hearing, the Board of Commissioners may refer the regulation back to the Planning Board for any further recommendations that the board may wish to make prior to final action by the governing board in adopting, modifying and adopting, or rejecting the regulation.

(2) Zoning Amendments. Subsequent to initial adoption of a zoning regulation, all proposed amendments to the zoning regulation or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral, the Board of Commissioners may act on the amendment without the Planning Board report. The Board of Commissioners is not bound by the recommendations, if any, of the Planning Board.

(3) Plan Consistency. When conducting a review of proposed zoning text or map amendments, the Planning Board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate, but a comment by the Planning Board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Board of Commissioners.

If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the Planning Board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

(4) Review of Other Ordinances and Actions. Any development regulation other than a zoning regulation that is proposed to be adopted and any subsequent amendments to the regulation thereafter may be referred to the Planning Board for review and comment.

APPEALS, VARIANCES, INTERPRETATIONS

§ 152.045 APPEALS

(B) Appeals from the enforcement and interpretation of this chapter, ~~special use permits, and request for variances~~ may be taken to the Board of Adjustment by any person aggrieved. An appeal is taken by filing with the administrator and the Board of Adjustment a written notice of appeal specifying the grounds therefor. A notice of appeal shall be filed with the Town Clerk or

Town Deputy Clerk. The notice of appeal must state the grounds for the appeal and the date and time of filing.

§ 152.046 VARIANCES.

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance regulation, the Board of Adjustment shall vary any of the provisions of the ordinance zoning regulation upon a showing of all of the following:

(A) Application of the strict letter of the ordinance zoning regulation would result in unnecessary hardships. In determining whether unnecessary hardships would result from carrying out the strict letter of the ordinance, the Board of Adjustment shall consider the following, and shall record in writing its findings and conclusions:

(1) Whether the hardship results from the application of the ordinance; Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;

(2) Whether the hardship is suffered by results from conditions that are peculiar to the applicant's property. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

(3) Whether the hardship is the result of the applicant's own action(s). The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship; and

(4) The requested variance is consistent with the spirit, purpose and intent of the ordinance regulation, such that public safety is secured, and substantial justice is achieved.

(B) Any variance extending a nonconforming use shall be deemed not to be in harmony with the general purpose and intent of the ordinance and shall be deemed to violate its spirit; and provided further,

(C) No change in permitted uses may be authorized by variance.

(D) If any of those issues are not resolved as indicated herein, then the Board of Adjustment shall deny the requested variance.

(E) Conditions imposed upon variances. In granting a variance, the Board of Adjustment may determine and prescribe reasonable conditions and safeguards upon which the variance is granted in order to ensure that the variance is in harmony with the general purpose and intent of the ordinance and preserves its spirit, and to ensure that the variance will assure the public safety and welfare and will provide substantial justice.

(F) Violation of any condition upon which a variance is granted shall be deemed a violation of this chapter.

§ 152.050 BOARD ACTION ON APPEALS AND VARIANCES.

(A) With respect to appeals, a motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings of facts that support the motion. If a motion to reverse or modify is not made or fails to receive the vote necessary for adoption (see § 152.030(D)), then a motion to uphold the decision appealed from shall be in order. This motion is adopted as the board's decision if supported by a majority of the board's membership (excluding vacant seats).

(B) Before granting a variance, the Board of Adjustment must take a separate vote and vote affirmatively (by a four fifths majority see § 152.030(D)) on each of the seven required findings stated in § 152.046. Insofar as practicable, a motion to make an affirmative finding on each of the requirements set forth in § 152.046 shall include a statement of the specific reasons or findings of fact supporting such motion.

(C) A motion to deny a variance may be made on the basis that any one or more of the criteria set forth in § 152.046 are not satisfied or that the application is incomplete. Insofar as practicable, such a motion shall include a statement of the specific reasons or findings of fact that support it. This motion is adopted as the board's decision if supported by four fifths or more of the board's membership (excluding vacant seats).

(Ord. 2005-03, passed 3-15-2005) (Am. Ord. passed 1-21-2014)

HEARING PROCEDURES ~~FOR APPEALS AND APPLICATIONS~~

§ 152.065 QUASI-JUDICIAL DECISIONS ~~HEARING REQUIRED ON APPEALS AND APPLICATIONS.~~

- A) ~~Before making a decision on an appeal or an application for a variance or special use permit, or a petition from the zoning/planning staff to revoke a special use permit, the Board of Adjustment or the Board of Commissioners, as the case may be, shall hold a hearing on the appeal or application. Boards shall follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision.~~
- B) ~~Subject to division (C) of this section, T~~he hearing shall be open to the public and all persons interested in the outcome of the ~~appeal or~~ application shall be given an opportunity to present evidence and arguments and ask questions of persons who testify.
- C) ~~The Board of Adjustment or Board of Commissioners~~ Boards may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses so that the matter at issue may be heard and decided without undue delay.
- D) ~~The hearing board may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six weeks or more elapses between hearing dates. The board may continue an evidentiary hearing that has been convened without further advertisement. If an evidentiary hearing is set for a given date and a quorum of the board is not then present, the hearing shall be continued until the next regular board meeting without further advertisement.~~

§ 152.066 NOTICE OF HEARING.

(A) Notice shall be given to the appellant or applicant and any other person who makes a written request for such notice by mailing to such persons a written notice not later than ten days but not more than 25 days prior to the date of the hearing be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the local development regulation. In the absence of evidence to the contrary, the Town may rely on the county tax listing to determine owners of property entitled to mailed notice;

(B) Notice shall be given to neighboring property owners by mailing a written notice not later than ten days but not more than 25 days prior to the date of the hearing to those persons who have listed for taxation real property and who are abutting (this includes property owners who abut the property across a street) the lot that is the subject of the application or appeal. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing;

(C) A sign shall be posted on the property subject to the application or appeal. Such sign shall be posted not less than ten days but not more than 25 days prior to the date of the hearing. Within that same time period, the Town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way; and

—(D) Notice shall be given to other potentially interested persons by publishing a notice one time in a newspaper having general circulation in the area not less than five nor more than 15 days prior to the hearing; and

(DE) The notice required by this section shall state the date, time, and place of the hearing, reasonably identify the lot property that is the subject of the application or appeal, and indicate the action requested or proposed.

§ 152.067 EVIDENCE.

(B) All persons who intend to present evidence to the permit-issuing board, rather than arguments only, shall be sworn. The applicant, the local government, and any person who would have standing to appeal the decision shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board.

(C) All findings and conclusions necessary to the issuance or denial of the requested permit or appeal (crucial findings) shall be based upon reliable evidence. Competent evidence (evidence admissible in a court of law) shall be preferred whenever reasonably available, but in no case may crucial findings be based solely upon incompetent evidence unless competent evidence is not reasonably available, the evidence in question appears to be particularly reliable, and the matter at issue is not seriously disputed. The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board determining a quasi-judicial matter, willfully swears falsely is guilty of a Class 1 misdemeanor.

(D) The board making a quasi-judicial decision under this Chapter through the chair or, in the chair's absence, anyone acting as chair may subpoena witnesses and compel the production of evidence.

§ 152.068 MODIFICATION OF APPLICATION AT HEARING.

(A) In response to questions or comments by persons appearing at the hearing or to suggestions or recommendations by the ~~Board of Commissioners or Board of Adjustment~~, the applicant may agree to modify his application, including the plans and specifications submitted.

(B) Unless such modifications are so substantial or extensive that the board cannot reasonably be expected to perceive the nature and impact of the proposed changes without revised plans before it, the board may approve the application with the stipulation that the permit will not be issued until plans reflecting the agreed upon changes are submitted to the planning staff.

152.069 VOTING

The concurring vote of four-fifths of the board shall be necessary to grant a variance.

A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari.

For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

§ 152.069 RECORD.

~~—(A) A tape recording shall be made of all hearings required by § 152.0656, and such recordings shall be kept for at least 30 days or until the minutes of the meeting have been approved. Accurate minutes shall also be kept of all such proceedings, but a transcript need not be made.~~

~~—(B) Whenever practicable, all documentary evidence presented at a hearing as well as all other types of physical evidence shall be made a part of the record of the proceedings and shall be kept by the town for at least five years.~~

§ 152.070 WRITTEN DECISION.

~~(A) Any decision made by the Board of Adjustment or Board of Commissioners regarding an appeal or variance or issuance or revocation of a special use or conditional zoning district shall be reduced to writing and served upon the applicant or appellant and all other persons who make a written request for a copy.~~

~~—(B) In addition to a statement of the board's ultimate disposition of the case and any other information deemed appropriate, the written decision shall state the board's findings and conclusion, as well as supporting reasons or facts, whenever this chapter requires the same as a prerequisite to taking action.~~

(A) The board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record.

(B) Each quasi-judicial decision shall be reduced to writing, reflect the board's determination of contested facts and their application to the applicable standards, and be approved by the board and signed by the chair or other duly authorized member of the board.

(C) A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the development regulation specifies. The decision shall be delivered within a reasonable time by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and any person who has submitted a written request for a copy prior to the date the decision becomes effective. Special Use permits will be recorded in the office of the Onslow County Register of Deeds.

(D) The Administrator shall certify that proper notice has been made, and the certificate shall be deemed conclusive in the absence of fraud.

152.071 JUDICIAL REVIEW

Every quasi-judicial decision shall be subject to review by the Superior Court by proceedings in the nature of certiorari pursuant to NC GS 160D-1402. Appeals shall be filed within the time specified in NC GS 160D-1405(d).

152.072 LEGISLATIVE HEARINGS

Before adopting, amending, or repealing any ordinance or development regulation, the Board of Commissioners shall hold a legislative hearing.

Notice of the hearing shall be provided as follows:

A) Published Notice. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

B) Mailed Notice. When the boundaries of zoning districts are determined, established, and enforced, and from time to time amended, supplemented or changed, the owner of affected parcels of land and the owners of all parcels of land abutting that parcel of land shall be mailed a notice of the hearing on a proposed zoning map amendment by first-class mail at the last addresses listed for such owners on the county tax abstracts.

For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing.

C) Posted Notice. When a zoning map amendment is proposed, the Town shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but sufficient notices shall be posted to provide reasonable notice to interested persons.

D) Notice to Military Bases. If the adoption or modification would result in changes to the zoning map or would change or affect the permitted uses of land located five miles or less from the perimeter boundary of a military base, the Town shall provide written notice of the proposed changes by certified mail, return receipt requested, to the commander of the military base not less than 10 days nor more than 25 days before the date fixed for the hearing. If the military provides comments or analysis regarding the compatibility of the proposed development regulation or amendment with military operations at the base, the governing board shall take the comments and analysis into consideration before making a final determination on the ordinance.

E) ETJ Expansion. If the zoning map amendment is being proposed in conjunction with an expansion of the extraterritorial planning and development regulation jurisdiction under G.S. 160D-202, a single hearing on the zoning map amendment and the boundary amendment may be held. In this instance, the initial notice of the zoning map amendment hearing may be combined with the boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the hearing.

F) Optional Notice for Large-Scale Zoning Map Amendments. The first-class mail notice required by this section shall not be required if the zoning map amendment proposes to change the zoning designation of more than 50 properties owned by at least 50 different property owners.

In this instance, the Town can elect to make the mailed notice or, as an alternative, elect to publish notice of the hearing provided that each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified via first-class mail.

G) Actual Notice. Except for a Town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the landowner or authorized agent, the applicant shall certify that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of the hearing. Actual notice shall be provided in any manner permitted under NC GS 1A-1, Rule 4(j). If notice cannot with due diligence be achieved by personal delivery, certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2), notice may be given by publication consistent with NC GS 1A-1, Rule 4(j1). The person or persons required to provide notice shall certify to the Town that actual notice has been provided, and such certificate shall be deemed conclusive in the absence of fraud.

H) A development regulation adopted pursuant to section shall be adopted by ordinance.

§ 152.073 MORATORIA

A) **Authority.** As provided by NC GS 160D-107, the Board of Commissioners may adopt temporary moratoria on any development approval required by law. The duration of any moratorium shall be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions.

B) **Hearing Required.** Except in cases of imminent and substantial threat to the public health or safety, before adopting a development regulation imposing a development moratorium with a duration of 60 days or any shorter period, the governing board shall hold a legislative hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven days before the date set for the hearing. A development moratorium with a duration of 61 days or longer, and any extension of a moratorium so that the total duration is 61 days or longer, is subject to the notice and hearing requirements of G.S. 160D-601.

C) **Exempt Projects.** Absent an imminent threat to public health or safety, a development moratorium adopted shall not apply to any project for which a valid building permit issued is outstanding, to any project for which a special use permit application has been accepted as complete, to development set forth in a site-specific or phased vesting plan approved pursuant to G.S. 160D-108, to development for which substantial expenditures have already been made in good-faith reliance on a prior valid development approval, or to preliminary or final subdivision plats that have been accepted for review by the Town prior to the call for a hearing to adopt the moratorium. Any preliminary subdivision plat accepted for review by the Town prior to the call for a hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium. Notwithstanding the foregoing, if a complete application for a development approval has been submitted prior to the effective date of a moratorium, G.S. 160D-108(b) shall be applicable when permit processing resumes.

D) **Required Statements.** Any development regulation establishing a development moratorium must include, at the time of adoption, each of the following:

- 1) A statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the Town and why those alternative courses of action were not deemed adequate;
- 2) A statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium;

- 3) A date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium; and
- 4) A statement of the actions, and the schedule for those actions, proposed to be taken by the Town during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

E) Limit on Renewal or Extension. No moratorium may be subsequently renewed or extended for any additional period unless the Town has taken all reasonable and feasible steps proposed to be taken in its ordinance establishing the moratorium to address the problems or conditions leading to imposition of the moratorium and unless new facts and conditions warrant an extension. Any ordinance renewing or extending a development moratorium must include, at the time of adoption, the findings set forth in subdivisions (1) through (4) of subsection (D), including what new facts or conditions warrant the extension.

F) Expedited Judicial Review. Any person aggrieved by the imposition of a moratorium on development approvals required by law may apply to the General Court of Justice for an order enjoining the enforcement of the moratorium. Actions brought pursuant to this section shall be scheduled for expedited hearing, and subsequent proceedings in those actions shall be accorded priority by the trial and appellate courts. In such actions, the Town shall have the burden of showing compliance with the procedural requirements of this section.

§ 152.074 NOTICE OF AN ADMINISTRATIVE DECISION

The Administrator shall give written notice to the owner of the property that is the subject of an administrative determination or interpretation and to the party who requested it, if different from the owner.

The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail. The notice shall be delivered to the last address listed for the owner of the affected property on the county tax abstract and to the address provided in the application or request for a determination or interpretation if different from the owner's.

It shall be conclusively presumed that all persons with standing to appeal have constructive notice from the date a sign providing notice that a determination has been made is prominently posted on the property that is the subject of the determination or interpretation, provided the sign remains on the property for at least 10 days. The sign shall contain the words "Zoning Decision" or "Subdivision Decision", or similar language, and shall identify the means to contact the Town for more information.

§ 152.075 CITIZEN COMMENTS

If any resident or property owner submits a written statement regarding a proposed amendment, modification, or repeal to a zoning regulation, including a text or map amendment to the Town Clerk at least two business days prior to the proposed vote on such change, the Town Clerk shall deliver such written statement to the Board of Commissioners.

If the proposed change is the subject of a quasi-judicial proceeding under G.S. 160D-705 or any other statute, the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the board shall not disqualify any member of the board from voting.

PERMITS DEVELOPMENT APPROVALS

PART I: ZONING, SPECIAL USE PERMITS, CONDITIONAL ZONING DISTRICTS, AND LAND IMPROVEMENT PERMITS

§ 152.105 PERMITS APPROVALS REQUIRED.

(A) Unless specifically excepted from this requirement, the use made of property may not be substantially changed; substantial clearing, grading, or excavation may not be commenced; and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits:

- (1) A zoning permit issued by the Administrator ;
- (2) A special use permit issued by the Board of Commissioners ; or
- (3) A conditional zoning district permit issued by the Board of Commissioners .

No person shall commence or proceed with development without first securing any required development approval required by the State Building Code, or other State or local law from the Town of Swansboro. A development approval shall be in writing and may contain a provision that the development shall comply with all applicable State and local laws. Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner.

(B) Zoning permits , special use permits, conditional zoning districts permits, and sign permits Development approvals are issued under this chapter only when a review of the application submitted, including the plans contained therein, indicates that the development will comply with the provisions of this chapter if completed as proposed. Such plans and applications as are finally approved are incorporated into any permit issued, and except as otherwise provided in §§ 152.130 through 152.135, all development shall occur strictly in accordance with such approved plans and applications.

(C) Physical improvements to land to be subdivided may not be commenced except in accordance with a land improvement permit issued by the Board of Commissioners or after final plat approval by the Town Manager or his/her designee for minor subdivisions or the Board of Commissioners for major subdivisions (see §§ 152.325 through 152.385).

(D) A zoning permit , special use permit, conditional zoning district permit, land improvement permit, or sign permit development approval shall be issued in the name of the applicant (except that applications submitted by an agent shall be issued in the name of the principal), shall identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit issuing authority. All such permits issued with respect to tracts of land in excess of one acre (except sign permits and zoning permits for single family and two family residential uses) shall be recorded in the Onslow County Register of Deeds after execution by the record owner as provided in § 152.337(D).

§ 152.112 EXPIRATION OF PERMITS.

(A) Zoning, special use, land improvement, and sign permits shall expire automatically if, within six months after the issuance of such permits, the use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use.

(B) If, after some physical alternation to land or structures begins to take place, such work is discontinued for a period of one year, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of § 152.113.

§ 152.113² EFFECT OF PERMITS ON SUCCESSORS AND ASSIGNS.

(B) Whenever a zoning, special use, or conditional zoning district permit is issued to authorize development (other than single-family or two-family residences) on a tract of land in excess of one acre, nothing authorized by the permit may be done until the record owner of the property signs a written acknowledgment that the permit has been issued so that the permit may be recorded in the Onslow County Register of Deeds and indexed under the record owner's name as grantor.

ENFORCEMENT AND REVIEW

§ 152.132 PROCEDURES UPON DISCOVERY OF VIOLATIONS.

(A) If the administrator finds that any provision of this chapter is being violated, he or she shall send a written to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent at the Administrator's discretion. When staff determines work or activity has been undertaken in violation of an adopted development regulation or other local development approval, a written notice of violation will be issued. The notice of violation shall be delivered to the holder of the development approval and to the landowner of the property involved, by personal delivery, electronic delivery, or first-class mail and may be provided by similar means to the occupant of the property or the person undertaking the work or activity. The notice of violation may also be posted on the property.

(B) The final written notice of violation (the initial written notice may be the final notice) shall state what action the Administrator intends to take if the violation is not corrected and shall advise that the administrator's decision or order may be appealed to the Board of Adjustment pursuant to NC GS §160D-405 in accordance with § 152.030(C).

(C) Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this chapter or pose a danger to the public health, safety, or welfare, the administrator may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized in § 152.133.

(D) Whenever any work or activity is undertaken in substantial violation of any State or local law, or in a manner that endangers life or property, staff may order the specific part of the work or activity that is in violation or presents such a hazard to be immediately stopped. The order shall be in writing, directed to the person doing the work or activity, and shall state the specific work or activity to be stopped, the reasons therefor, and the conditions under which the work or activity may be resumed. A copy of the order shall be delivered to the holder of the development approval and to the owner of the property involved by personal delivery, electronic delivery, or first-class mail. A stop work order may be appealed pursuant to NC GS 160D-405. No further work or

activity shall take place in violation of a stop work order pending a ruling on the appeal. Violation of a stop work order shall constitute a Class 1 misdemeanor.

VESTED RIGHTS, ~~AND~~ PERMIT CHOICE ~~AND~~ DEVELOPMENT AGREEMENTS

§ 152.150 PURPOSE.

The purpose of this subchapter is to provide for the establishment of a zoning vested right, as created by G.S. §160A-385.1, upon the approval of a site specific development plan.

~~(A) The purpose of this subchapter of the town's development regulations is to emulate the North Carolina General Statutes regarding vested rights for developers and municipalities under G.S. §§160A-385 and 385.1, and to emulate the North Carolina General Statutes regarding development agreements under G.S. §§160A-400.20 et seq.~~

~~(B) It is necessary and desirable for the establishment of certain vested rights in order to ensure reasonable certainty, stability, and fairness in the land-use planning development regulation process, secure the reasonable expectations of landowners, and foster cooperation between the public and private sectors in the area of land-use planning and development regulation. The town's approval of land-use development typically follows significant landowner investment in site evaluation, planning, development costs, consultant fees and related expenses.~~

~~(C) The ability of a landowner to obtain a vested right after town approval of a site specific development plan or a phased development plan will preserve the prerogatives and authority of the Town Board with respect to land-use matters. There are ample opportunities for public participation and the public interest will be served.~~

~~(D) These provisions found below will strike an appropriate balance between private expectations and the public interest, while scrupulously protecting the public health, safety and welfare.~~

§ 152.151 DEFINITIONS SPECIFIC TO THIS SUBCHAPTER.

~~For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~**LANDOWNER.** Any owner of a legal or equitable interest in real property, including heirs, devisees, successors, assigns, and personal representative of such owners. The LANDOWNER may allow a person holding a valid option to purchase to act as his or her agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan under this section, in the manner allowed by the ordinance.~~

~~**MULTI PHASED DEVELOPMENT.** A development containing 100 acres or more that (i) is submitted for site plan approval for construction to occur in more than one phase and (ii) is subject to a master development plan with committed elements, including a requirement to offer land for public use as a condition of ties master development plan approval.~~

~~**PHASED DEVELOPMENT PLAN.** A plan which has been submitted to the town by a landowner for phased development which shows the type and intensity of use for a specific parcel or parcels with a lesser degree of certainty than the plan by the town to be a specific development plan.~~

~~**PROPERTY.** All real property subject to zoning regulations and restrictions and zone boundaries of the town.~~

~~**SITE SPECIFIC DEVELOPMENT PLAN.** A plan which has been submitted to the town by a landowner describing with reasonable certainty the type and intensity of use for a specific parcel~~

or parcels of property. Such plan may be in the form of, but not be limited to, any of the following plans or approvals: a planned unit development plan, a subdivision plat, a preliminary or general development plan, a conditional or special use permit, a conditional or special use district plan, or any other land use approval designation as may be utilized by the town. Unless otherwise expressly provided by the town, such a plan shall include the approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings and other structures; dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways, what constitutes a site specific development plan under this section that would trigger vested right shall be finally determined by the town pursuant to an ordinance, and the document that triggers such vesting shall be so identified at the time of its approval. However, at a minimum, the ordinance to be adopted by the town shall designate a vesting point earlier than the issuance of a building permit. A variance shall not constitute a site specific development plan, and an approval of a site development plan with the condition that variance be obtained shall not confer a vested right unless and until the necessary variance is obtained. Neither a sketch plan nor any other document which fails to describe with reasonable certainty the type and intensity of use for a specified parcel or parcels of property may constitute a site specific development plan.

~~TOWN.~~ Shall have the same meaning as set forth in G.S. §160A-1(2).

~~VESTED RIGHT.~~ The right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan.

§ 152.1521 ESTABLISHMENT OF VESTED RIGHTS.

A person claiming a statutory or common law vested right may submit information to substantiate that claim to the zoning administrator or other officer designated by a development regulation, who shall make an initial determination as to the existence of the vested right.

The decision of the zoning administrator or officer may be appealed under G.S. 160D-405. On appeal, the existence of a vested right shall be reviewed de novo. In lieu of seeking such a determination, a person claiming a vested right may bring an original civil action as provided by G.S. 160D-405(c).

(A) A vested right shall be deemed established with respect to any property upon the valid approval, or conditional approval, of a site specific development plan or phased development plan, following notice and public hearings by the Town of Swansboro. Such vested right shall confer upon the landowner the right to undertake and complete the development and use of said property under the terms and conditions of the site specific development plan or phased development plan upon such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Such conditional approval shall result in a vested right, although failure to abide by such terms and conditions will result in forfeiture of vested rights. The town may require a landowner to waive his or her vested rights as a condition of developmental approval. A site specific development plan or a phased development plan shall be deemed approved upon the effective date of the Town Board's action.

(B) Amendments in zoning ordinances shall not be applicable or enforceable without consent of the owner with regard to buildings and uses for which either (I) building permits have been

issued pursuant to G.S. §160A-417 prior to the enactment of the ordinance making the change or changes so long as the permits remain valid and unexpired pursuant to G.S. §160A-418 or the terms of the town's unified development ordinance, and unrevoked pursuant to G.S. §160A-422 or the terms of the town's unified development ordinance, or (ii) a vested right has been established as set forth above in this section.

—(C) The establishment of a vested right shall not preclude the application of overlay zoning which imposes additional requirement but does not affect the allowable type or intensity of use, or ordinances or regulations which are general in nature and are applicable to all property subject to land use regulation by the town, including but not limited to, building, fire, plumbing, electrical, and mechanical codes. Otherwise applicable new regulations shall become effective with respect to property which is subject to a site specific development plan or a phased development plan upon the expiration or termination of the vesting rights period provided for in this section.

—(D) Notwithstanding any provision of this section, the establishment of a vested right shall not preclude, change or impair the authority of the town to adopt and enforce zoning ordinance provisions governing nonconforming situations or uses.

§ 152.1532 PERMIT CHOICE

If an application made in accordance with local regulation is submitted for a required development approval and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application.

Amendments shall not be applicable or enforceable with regard to development that has been permitted or approved so long as one of the types of approvals remains valid and unexpired.

If the applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit. This applies to all development approvals issued by the State and by the Town.

§ 152.153 DURATION AND TERMINATION TYPES OF STATUTORY VESTED RIGHTS.

Vested rights established under this section are not mutually exclusive. The establishment of a vested right under this section does not preclude the establishment of one or more other vested rights or vesting by common law principles. Vested rights established by local government approvals are as follows:

- A) Building permits. Pursuant to G.S. 160D-1111, a building permit expires six months after issuance unless work under the permit has commenced. Building permits also expire if work is discontinued for a period of 12 months after work has commenced.
- B) Other local development approvals. Pursuant to G.S. 160D-403(c), unless otherwise specified by statute or local ordinance, all other local development approvals expire one year after issuance unless work has substantially commenced. Expiration of a local development approval shall not affect the duration of a vested right established under this section or vested rights established under common law.

C) Site-specific vesting plans. A vested right for a site-specific vesting plan shall remain vested for a period of two years. This vesting shall not be extended by any amendments or modifications to a site-specific vesting plan unless expressly provided by the Town.

The Town may provide that rights regarding a site-specific vesting plan shall be vested for a period exceeding two years, but not exceeding five years, if warranted by the size and phasing of development, the level of investment, the need for the development, economic cycles, and market conditions, or other considerations. This determination shall be in the discretion of the Town and shall be made following the process specified for the particular form of a site-specific vesting plan involved.

D) Multiphase developments. A multiphase development shall be vested for the entire development with the zoning regulations, subdivision regulations, and unified development ordinances in place at the time a site plan approval is granted for the initial phase of the multiphase development. This right shall remain vested for a period of seven years from the time a site plan approval is granted for the initial phase of the multiphase development.

E) Indefinite development agreements. A vested right of reasonable duration may be specified in any approved development agreement.

~~(A) A right which has been vested as provided for in this article shall remain vested for a period of two years. This vesting shall not be extended by any amendments or modification to a site specific development plan unless expressly provided by the town.~~

~~(B) Notwithstanding the provisions of division (A) of this section, the town may provide that rights shall be vested for a period exceeding two years but not exceeding five years where warranted in light of all relevant circumstances, including, but not limited to, the size and phasing of the development, the level of investment, the need for the development, economic cycles, and market conditions. These determinations shall be in the sound discretion of the town.~~

~~(C) Notwithstanding the provisions of divisions (A) and (B) of this section, the town may provide by ordinance that approval by the town of a phased development plan shall vest the zoning classification or classification so approved for a period not to exceed five years. The document that triggers such vesting shall be so identified at the time of its approval. The town may require the landowner to submit a site specific plan for approval by the town with respect to each phase or phases in order to obtain final approval to develop within the restrictions of the vested zoning classification or classifications. Nothing in this section shall be construed to require the town to adopt an ordinance providing for vesting of rights upon approval of a phased development plan.~~

~~(D) Amendments in zoning ordinances, subdivision ordinances, and unified development ordinances shall not be applicable without the written consent of the owner with regard to a multi-phased development. Notwithstanding the provisions of divisions (A), (B), and (C) of this section, a multi-phased development shall be vested for the entire development with the zoning ordinance, subdivision ordinances, and unified development ordinances then in place at the time a site plan approval is granted for the initial phase of the multi-phased development. A right which has been~~

vested as provided for in this subsection shall remain vested for period of seven years from the time a site plan approval is granted for the initial phase of the multi-phased development.

(E) Following approval or conditional approval of a site specific development plan or a phased development plan, nothing in this section shall exempt such a plan from subsequent reviews and approval by the Town to ensure compliance with the terms and conditions of the original approval, provided that such reviews and approvals are not inconsistent with said original approval. Nothing in this section shall prohibit the town from revoking the original approval for failure to comply with applicable terms and conditions of the approval or the zoning ordinance.

152.154 SUBSEQUENT CHANGES PROHIBITED; EXCEPTIONS.

A) Continuing Review. Following the approval or conditional approval of a statutory vested right, the Town may make subsequent reviews and require subsequent approvals to ensure compliance with the terms and conditions of the original approval, provided that such reviews and approvals are not inconsistent with the original approval. The Town may revoke the original approval for failure to comply with applicable terms and conditions or the applicable development regulations.

B) Exceptions. The provisions of this section are subject to the following:

- 1) A vested right, once established, precludes any zoning action by the Town that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in an approved vested right, except when any of the following conditions are present:
 - a) The written consent of the affected landowner.
 - b) Findings made, after notice and an evidentiary hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the approved vested right.
 - c) The extent to which the affected landowner receives compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consulting fees incurred after approval by the Town, together with interest as is provided in G.S. 160D-106. Compensation shall not include any diminution in the value of the property that is caused by such action.
 - d) Findings made, after notice and an evidentiary hearing, that the landowner or the landowner's representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval by the Town of the vested right.
 - e) The enactment or promulgation of a State or federal law or regulation that precludes development as contemplated in the approved vested right, in which case the Town may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the plan, after notice and an evidentiary hearing.

- 2) The establishment of a vested right under this section shall not preclude the application of overlay zoning or other development regulation that imposes additional requirements but does not affect the allowable type or intensity of use, or ordinances or regulations that are general in nature and are applicable to all property subject to development regulation by a local government, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes. Otherwise applicable new regulations shall become effective with respect to property that is subject to a vested right established under this section upon the expiration or termination of the vested rights period provided for in this section.
- 3) Notwithstanding any provision of this section, the establishment of a vested right shall not preclude, change, or impair the authority of the Town to adopt and enforce development regulation provisions governing nonconforming situations or uses.

A vested right, once established as provided in this section, precludes any zoning action by a town which would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in an approved site specific development plan or an approved phased development plan, except:

- (A) With the written consent of the affected landowner;
- (B) Upon findings by the Board of Commissioners, by ordinance after notice and a public hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the site specific development plan;
- (C) To the extent that the affected landowner receives compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consultant's fees incurred after approval by the town, together with interest thereon at the legal rate until paid. Compensation shall not include any diminution in the value of the property which caused by such action;
- (D) Upon findings by the Board of Commissioners, by ordinance after notice and a hearing, that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations which made a difference in the approval by the approval authority of the site specific development plan; or
- (E) Upon the enactment or promulgation of a state or federal law or regulation that precludes development as contemplated in the site specific development plan, in which case the approval authority may modify the affected provisions, upon a finding that the change has a fundamental effect on the plan, by ordinance after notice and a hearing.

§ 152.155 MISCELLANEOUS VESTED RIGHTS PROVISIONS.

(A) A vested right obtained under this section is not a personal right, but shall attach to and run with the applicable property. After approval of a vested right ~~"site specific development plan or phased development plan"~~, all successors to the original landowner shall be entitled to exercise such rights.

(B) Nothing in this section shall preclude judicial determination, based on common law principles or other statutory provisions, that a vested right exists in a particular case or that a compensable taking has occurred. Except as expressly provided in this section, nothing in this section shall be construed to alter the existing common law.

§ 152.156 DEVELOPMENT AGREEMENTS.

(A) The Town may enter into development agreements with developers, subject to the procedures and requirements of G.S. §160A-400.20 ~~et seq~~ D-1001-1012. In entering into such agreements, the town may not exercise any authority or make any commitment not authorized by local ordinances or State law and may not impose any tax or fee not authorized by otherwise applicable laws.

(C) Development authorized by a development agreement shall comply with all applicable laws, including all ordinances, resolutions, regulations, permits, policies, and laws affecting the development of property, including laws governing permitted uses of the property, density, intensity, design, and improvements.

(D) A vested right of reasonable duration may be specified in an approved development agreement.

ZONING DISTRICTS AND ZONING MAP

§ 152.170 ESTABLISHMENT OF ZONING DISTRICTS, AND THE PURPOSE THEREOF.

(V) CZ- Conditional Zoning Districts. Conditional zoning districts may be created as parallel districts for each of the general zoning districts in this section. Each conditional zoning district shall be designated on the zoning map and other official documents by combining the designation of its parallel zoning district with the suffix, "(CZ)", for example B-2(CZ). Applications for conditional rezoning shall follow the process as outlined in Note 1 of Section § 152.180, Notes to the Table of Permitted/Special Uses.

§ 152.171 ZONING MAP IS A PART OF THIS CHAPTER.

Zoning district boundaries shall be drawn on a map that is adopted or incorporated within a duly adopted development regulation. Zoning district maps that are so adopted shall be maintained for public inspection in the office of the Town Clerk or such other office as specified in the development regulation. The maps may be in paper or a digital format approved by the Town.

(A) The planning area is hereby divided into districts whose locations and boundaries are shown on the official zoning map for the Town of Swansboro, which is hereby adopted by reference and declared to be a part of this chapter.

(B) The map shall be identified by the signature of the Mayor, attested by the Town Clerk, and bearing the official seal of the Town of Swansboro under the following words: "This is to certify that this is the official zoning map referred to in ~~Article 4~~, Section ~~9~~ 152.171 of the Unified Development Ordinance for the Town of Swansboro, North Carolina". The date of adoption and subsequent amendments shall also be shown.

Copies of the zoning district map may be reproduced by any method of reproduction that gives legible and permanent copies, when certified by the Town Clerk in accordance with G.S. 160A-79, shall be admissible in evidence and shall have the same force and effect as would the original map.

§ 152.179 TABLE OF PERMITTED/SPECIAL USES.

(F) All new nonresidential and mixed use development and expansions or alterations of any such existing building where the expansion or alteration exceeds 50% of the building value as assessed for real property taxes considered permitted by right and referred to as a commercial use shall be reviewed under §§ 152.210 through 152.211, Special Uses.

Commented [JA3]: This seems to be a “catch all” but creates a conflict with the Table of Uses for any commercial use allowed by right, and also seems to conflict with the provisions under Section § 152.086 for nonconforming uses.

Table of Permitted/Special Uses /Conditional Zoning Districts (See Note 1, § 152.180)

Commented [JA4]: Redundant, reference different above (152.179)

PERMITTED/ SPECIAL USES	ICS ^a	C O N	R A	R 6	R6 SF	R8 SF	R10 SF	R15 SF	R20 SF	R40 SF	PUD ^b	MHP	MHS	MHS- 15SF	MHS -O ^c	O /I	G / E	B 1 ^d	B 2 ^e	B 3 ^f	B2H DO ^g	MI ^h
Bona fide farms		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Family care home (see §152.180, note 39)	623990			P	P	P	P	P	P	P		P	P	P	P	P	P	P				
Temporary family health care structures (see §152.180, note 40)			P	P	P	P	P	P	P	P			P	P	P	S		S	S			
Wireless telecommunication towers facilities (see §152.180, note 41)	234920		S													S	S	S			S	S

Commented [JA5]: Definition for bona fide farms changed in 2017; no longer includes farm tax ID number, have to meet specific criteria. Municipalities cannot regulate them in the ETJ.

§ 152.180 NOTES TO THE TABLE OF PERMITTED/SPECIAL USES/CONDITIONAL ZONING DISTRICTS (CD).

Commented [JA6]: The reference is different under Section 152.179

(A) Note 1. Conditional Zoning Districts (CDs).

(1) Conditional zoning districts are zoning districts in which the development and use of the property is subject to ~~predetermined ordinance standards and the rules, regulations, and site-specific~~ conditions imposed as part of the legislative decision creating the ~~zoning district and applying it to the particular property.~~

(2) A conditional zoning district allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and on the entire community. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the adopted land use plan, adopted area plans and other long range plans. The review process established in this division provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use with the use and enjoyment of neighboring properties. A conditional zoning district is generally not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved district or area plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period. A separate master plan approval process as described in this division may be utilized only when a proposal is a component of a development project that is the subject of a development agreement between Town of Swansboro and a developer pursuant to G.S. §160A-400.20 et seq. (“Development Agreement”) ~~D1001-1012.~~

(a) ~~Zoning districts that may be considered for rezoning to a Conditional Zoning District:~~

- ~~1. Planned Unit Development PUD (CD) Office and Institutional O&I (CD);~~
- ~~2. Highway Business District B1 (CD); excluding “the Causeway” General Business District B2 (CD);~~
- ~~3. Traditional Business District B3 (CD); and~~
- ~~4. Light Industrial MI (CD).~~

Commented [JA7]: Questions about the legality of limiting the allowance of conditional zoning districts. This is a legislative review process; therefore, any zoning district could be a conditional zoning district. See description added under Section 152.170

(ba) Flexible lot development, requires rezoning to Conditional Zoning Districts (CD).

7. Flexible lot development approved through a Conditional Zoning District shall be subject to all applicable overlay district regulations, ~~all applicable use regulations,~~ all applicable environmental regulations, and all applicable general regulations, unless otherwise waived or modified by the town in the terms of the approved master plan. In case of any conflict between a specific regulation set forth in this chapter and the UDO and town code of ordinances, the regulation in this section shall apply unless otherwise expressly allowed.

Commented [JA8]: Conflicts with #5 under this section

(c) *Plans and other information to accompany petition.*

1. Property may be rezoned to a conditional zoning district only in response to ~~and consistent with~~ a petition submitted by ~~the all~~ owners of ~~all of~~ the property to be included in the district. ~~Specific conditions may be proposed by the petitioner or the Town or its agencies, but only those conditions mutually approved by the Town and the petitioner may be incorporated into the zoning regulations. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to the Town ordinances, plans adopted pursuant to G.S. 160D-501, or the impacts reasonably expected to be generated by the development or use of the site.~~

A petition for conditional zoning must include a site plan, drawn to scale, and supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided:

(e) *Approval of Conditional Zoning District.*

1. Conditional zoning district decisions are a legislative process subject to ~~judicial review using~~ the same procedures and standard of review applicable to general use district zoning decisions. In considering any petition for a conditional zoning district, the Board of Commissioners shall act in accordance with ~~§§ 152.065 through 152.079~~ ~~152.032 and 152.072~~. Conditional zoning district decisions shall be made in consideration of identified relevant adopted land use plans for the area, including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, bicycle and pedestrian plans and other policy documents.

2. The Town Board of Commissioners may not vote to rezone property to a conditional zoning district during the time period beginning on the date of a municipal general election and concluding on the date immediately following the date on which the Town Board of Commissioners holds its organizational meeting following a municipal general election unless no person spoke against the rezoning at the public hearing and no ~~valid protest petition under G.S. §160A-386 was filed~~ ~~comments were submitted under § 152.075~~. If ~~a valid protest petition under G.S. §160A-386 has been comments were~~ filed, ~~against~~ a zoning petition which would otherwise have been scheduled for a public hearing during the period beginning on the first day of October prior to a municipal general election, but prior to the new Town Board of Commissioners taking office, ~~then the public hearing on such petition and any decision on such petition~~ shall ~~both~~ be postponed until after the new Town Board of Commissioners takes office.

(g) *Effect of approval.*

3. Following the approval of the petition for a conditional zoning district, the subject property shall be identified on the zoning maps by the appropriate district designation. The zoning shall be identified by the same designation as the underlying general district followed by the letters “CDZ”. ~~(for example “B-2(CZ)D”).~~

6. The Town Manager shall have the delegated authority to approve ~~an administrative minor~~ amendments to an approved site plan ~~that do not involve a change in the uses permitted or the density of the overall development~~. The Town Manager shall have no authority to amend the conditions of approval of a petition. The standard for approving or denying such a requested change shall be that the change does not significantly alter the site plan and that the change does

not have a significant impact on abutting properties. ~~An administrative amendment shall not be subject to a protest petition.~~ Any decision must be in writing stating the grounds for approval or denial.

(MM) Note 39. Family care homes. As provided by NC GS 160D-907, family care homes shall be deemed a residential use of property for zoning purposes and shall be a permissible use in all residential districts. No family care home, its owner, or operator shall be required to obtain, because of the use, a special use permit or variance from any such zoning regulation. Family care homes shall not be located within a one-half mile radius of any existing family care home.

Family care homes shall be deemed a residential use of property for the purposes of determining charges or assessments imposed by local governments or businesses for water, sewer, power, telephone service, cable television, garbage and trash collection, repairs or improvements to roads, streets, and sidewalks, and other services, utilities, and improvements.

(NN) Note 40. Temporary family health care structures. Temporary family health care structures are permitted as an accessory use in all single-family residential zoning districts on lots zoned for single-family detached dwellings subject to the following:

- (1) The temporary family health care structure is placed on the property of the residence and is used to provide care for the mentally or physically impaired person as certified in writing by a physician licensed to practice in North Carolina;
- (2) Only one temporary family health care structure shall be allowed per lot or parcel of land;
- (3) Such temporary family health care structure shall be limited to no more than 300 gross square feet and comply with all setback requirements that apply to the primary structure;
- (4) Any person proposing to install a temporary family health care structure shall first obtain a permit from the Town;
- (5) An annual inspection to validate compliance and renewal of the doctor's certification are required;
- (6) Any temporary family health care structure installed under this section may be required to connect to water, sewer, and electric utilities serving the property and shall comply with all applicable State law, Town codes and ordinances, ONWASA rules or other requirements, as if the temporary family health care structure were permanent real property;
- (7) No signage advertising or otherwise promoting the existence of the temporary health care structure shall be permitted either on the exterior of the structure or elsewhere on the property;
- (8) Any temporary family health care structure installed pursuant to this section shall be removed within 60 days in which the mentally or physically impaired person is no longer receiving or is no longer in need of the assistance provided for in this section;
- (9) If the temporary family health care structure is needed for another mentally or physically impaired person, the temporary family health care structure may continue to be used or may be reinstated on the property within 60 days of its removal, as applicable;
- (10) The local government may revoke the permit granted if the permit holder violates any provision of this section; and

- (11) Temporary family health care structures shall be treated as tangible personal property for purposes of taxation.

(OO) Note 41. *Wireless telecommunication facilities.* The installation of wireless antennas and equipment or small wireless facilities as a collocation shall be a use by right in all zoning districts as provided in NC GS 160D-934 through 938. Small wireless facilities to be collocated on a utility pole or wireless support structure must be activated for use by a wireless services provider no later than one year from the permit issuance date. The installation of new wireless support facilities must meet the standards as set forth in §152.211.

SPECIAL USES

§ 152.210 PROCEDURE FOR SPECIAL USE PERMITS.

- (I) Minor modifications to special use permits that do not involve a change in the uses permitted or the density of overall development permitted may be reviewed and approved administratively. Any other modification or revocation of a special use permit shall follow the same process for the original approval. 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.

§ 152.211 SPECIFIC CRITERIA FOR CERTAIN SPECIAL USES.

- (W) Use - mobile signs ~~/portable signs.~~

- (1) Special use district: B1 and MI.

- (2) Requirements:

(a) No part of a sign shall extend beyond the plane of the property line upon which the sign is located or into any easement.

- (b) Display area shall not exceed six square feet.

(c) ~~Portable sign height shall not exceed three feet measured vertically from ground level to top of sign.~~ Mobile sign height measured vertically from ground level to top of sign including trailer or towable device to which sign is attached shall not exceed five feet.

- (d) Combination of allowed tenant signage square footage shall not be exceeded.

(e) Signs shall be displayed only during times when the business being advertised is open for business.

- (f) The application for approval of a special use shall include:

1. Sign location;
2. Sign size;
3. Sign illumination;

4. Diagram of the sign;
5. Proposed method of anchoring/securing.

(JJ) Use – wireless telecommunication facilities.

(1) Special use districts: RA, O/I, G/E, B1 and MI.

(2) Requirements:

- a) The facility must be setback from adjacent property lines and any residential dwelling(s) at least a distance equal to the fall zone as certified by a structural engineer. Accessory structures shall be setback at least 50 feet from any property line. These measurements shall be taken from the base of the tower or the foundation of the structure, as applicable.
- b) Access roads must be improved and meet the applicable standards of the Fire Code for emergency access. Access to any gated or locked enclosures must be provided to the Fire Chief.
- c) Lighting on the facility must meet the minimum standards of the Federal Aviation Administration (FAA). Lighting shall be muffled so that no audible sound can be heard beyond the distance of the required setback. Other lighting on the property, including lighting on accessory structures or on the surrounding enclosure, should be shielded so as not to trespass onto adjacent properties. The application must contain certification that the lighting on site has been designed to meet these requirements.
- d) Communication equipment or antennas shall meet the emission output levels as specified by applicable federal standard or by the American National Standard Institute (ANSI). The application must contain a certification that these requirements have been met.
- e) A Type C buffer yard per Section 152.528 shall be installed around any perimeter enclosure.
- f) If a proposed facility is to be constructed within five miles or less from the perimeter boundary of a military base, or within any mapped flight path overlay, the Town shall provide written notice of the proposal by certified mail, return receipt requested, to the commander of the military base not less than 10 days nor more than 25 days before the date fixed for the public hearing on the application.
- g) Applications must include the required materials per Appendix IV.

SIGNS

§ 152.268 SIGNS REQUIRING NEITHER PERMIT NOR FEE.

(C) Fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt until a certificate of occupancy is issued for the final portion of any construction at that site, or, 24 months from the time the fence wrap was installed, whichever is shorter.

(1) If construction is not completed at the end of 24 months from the time the fence wrap was installed, the Town will require a sign permit, but shall continue to allow the fence wrap to be affixed to the perimeter fencing.

(2) No fence wrap affixed pursuant to this section may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

§ 152.270 SIGNS REQUIRING A PERMIT AND FEE.

(B) *Billboard signs* ~~(Off-Premise/Outdoor Advertising).~~

(5) Billboards made nonconforming by the provisions of this section shall be brought into conformity ~~within ten years after the adoption of this section.~~

(a) The Town shall give written notice of its intent to require removal of a billboard sign by sending a letter by certified mail to the last known address of the owner of the sign and the owner of the property on which the sign is located.

(b) The payment of monetary compensation for the removal of any nonconforming, lawfully erected, billboard sign is required as provided in NC GS 160D-912 (d-f).

(c) In lieu of monetary compensation, the Town may enter into an agreement to allow the relocation or reconstruction of the sign as provided in NC GS 160D-912 (g-k).

SUBDIVISION REGULATIONS

§ 152.336 EXCLUSIONS AND EXCEPTIONS.

(E) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

§ 152.337 PROCEDURES FOR PLAT APPROVAL.

(G) *Preliminary plat review and approval procedures.*

(4) *Board of Commissioners review and action.*

(e) The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease land by reference to an approved preliminary plat for which a final plat has not been properly approved under the subdivision regulation or recorded with the register of deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial, or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision regulation and recorded with the register of deeds.

(K) *Penalties for transferring lots in unapproved subdivisions.*

(1) Any person who, being the owner or agent of the owner of any land located within the planning and development regulation jurisdiction of the Town, thereafter subdivides his land in violation of the regulation or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under such regulation and recorded in the office of the Onslow County Register of Deeds, shall be guilty of a Class 1 misdemeanor.

(2) The Town may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulation.

(3) Building permits required pursuant to G.S. 160D-1110 may be denied for lots that have been illegally subdivided.

§ 152.367 PARKS AND RECREATION SPACE REQUIREMENTS.

(L) *Amount of payment in lieu of dedication.*

(1) When a cash payment is required in lieu of dedication, such payment shall be paid by the subdivider to the Town of Swansboro, shall be placed by the Town of Swansboro in a parks and recreation capital reserve fund, and may be used only for the acquisition or development of parks and/or recreation spaces and/or open space sites that will reasonably serve the subdivision being developed recreation, park, or open space sites. Such cash payment may be used by the town for the acquisition or development of parks and/or recreation spaces and/or open space sites which may be used to serve both the subdivision being developed and or any other areas within the community subdivisions or development within the immediate area.

HISTORIC DISTRICT

§ 152.477 SWANSBORO HISTORIC PRESERVATION COMMISSION.

(B) *Qualifications.* All members of the Swansboro Historic Preservation Commission shall reside within the planning and zoning jurisdiction of the Town of Swansboro. It is desirable that a majority of members reside within the Historic District. Pursuant to NC G.S. 160D-303, A majority of members shall have demonstrated special interest, experience or education in history, architecture, archeology, or related fields.

(C) *Duties of the Swansboro Historic Preservation Commission.* The duties of the Swansboro Historic Preservation Commission shall include the following pursuant to NC G.S. 160D-942:

- (3) Acquire by any lawful means the fee or any lesser included interest, including options to purchase, to properties within established districts or to any such properties designated as landmarks; to hold, manage, preserve, restore, and improve the same such properties; and to exchange or dispose of the property by private or public sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property;
- (5) Recommend to the Board of Commissioners that designation of any area as a historic district or part thereof, or designation of any building, structure, site, area, or object as a landmark, be revoked or removed for cause;
- (6) Conduct an educational program with respect to regarding historic properties and districts within the town's planning jurisdiction;
- (9) Prepare and recommend the official adoption of a preservation element as part of the municipalityTown's comprehensive plan;

(D) *Meetings.*

- (4) Conduct of meetings.

(d) A member of the Commission exercising quasi-judicial functions shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.

§ 152.478 CERTIFICATE OF APPROPRIATENESS.

(A) *When required.* No person shall be permitted to construct, alter, move or demolish any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor above-ground utility structure, nor any type of outdoor advertising sign, ~~(G.S. §160A-400.9)~~ in the Historic District without first applying for and obtaining a certificate of appropriateness for such construction, alteration, moving or demolition. The Historic Preservation Commission shall have the authority to issue a certificate of appropriateness subject to reasonable conditions necessary to carry out the purposes of this ordinance. Any building permit or other such permit not issued in conformity with this selection shall be invalid.

(C) Required procedures.

(1) *Application submitted to the Administrator or his or her authorized agent.* An application for a certificate of appropriateness shall be obtained from the town, completed by the applicant, and filed with the town. The SHPC application completed in form and content, and the application is filed within the time frame according to town policy for application submittal, then the application shall be considered by the SHPC at its next regular meeting. Otherwise, consideration shall be deferred to the next regular meeting thereafter. An applicant may file with his/her application any additional information relevant to the application.

The Commission shall follow quasi-judicial procedures in acting on applications for certificates of appropriateness as specified in Section 152.065 through 152.071.

(2) Contents of application.

(d) An application fee as established by the Town of Swansboro shall be paid by the applicant upon filing of a major work application with the Administrator. An approved certificate of appropriateness may be re-submitted for minor revisions without payment of an additional application fee. Significant changes will require ~~an amendment~~ approval by the Commission in the same manner as the original application and appropriate fee.

(3) *Notification of Swansboro Historic Preservation Commission.* Upon receipt of an application, the Administrator shall notify the Swansboro Historic Preservation Commission at least five working days before its regularly scheduled meeting.

(4) *Review of application by SHPC.* As part of its review procedure, the SHPC may view the premises and seek the advice of the Department of Cultural Resources or such other expert advice as it may deem necessary under the circumstances.

(5) *Public hearing.* The SHPC may advertise and hold a public hearing in any case in which it considers such action necessary or appropriate.

§ 152.480 APPEALS OF DECISIONS.

An aggrieved party may appeal the decision of the Swansboro Historic Preservation Commission to the Board of Adjustment of the Town of Swansboro. Appeal shall be taken within the time prescribed by the Historic Preservation Commission by General Rule, and shall be in the nature of certiorari. Appeal from the decision of the Board of Adjustment shall be to the General Court of Justice, Superior Court Division for Onslow County, North Carolina.

(1) Appeals of any administrative decision may be made to the Historic Preservation Commission.

(2) All decisions of the Historic Preservation Commission in granting or denying a Certificate of Appropriateness may be appealed to the Board of Adjustment in the nature of certiorari within times prescribed for appeals of administrative decisions in NC G.S. 160D-405(c). To the extent applicable, the provisions of NC G.S. 160D-1402 shall apply to appeals in the nature of certiorari to the Board of Adjustment.

(3) Appeals from the Board of Adjustment may be made pursuant to NC G.S. 160D-1402. Petitions for judicial review shall be taken within the times prescribed for appeal of quasi-judicial decisions in NC G.S. 160D-1404. Appeals in any such case shall be heard by the Onslow County Superior Court.

§ 152.483 CERTAIN CHANGES NOT PROHIBITED.

Nothing in this subchapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the Swansboro Historic District which does not involve a change in design, material, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the Administrator, building inspector or similar official shall certify in writing to the SHPC is required by the public safety because of an unsafe or dangerous condition.

Nothing in this subchapter shall be construed to prevent a property owner from making any use of his or her property that is not prohibited by other law, or in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Historic Preservation Commission.

§ 152.484 DEMOLITION.

An application for a certificate of appropriateness authorizing the relocation, demolition, or destruction of a designated landmark or a building, structure, or site within the district may not be denied. However, the effective date of such a certificate may be delayed for a period not to exceed of up to 365 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the Swansboro Historic Preservation Commission may negotiate with the owner and with other parties in an effort to find means of preserving the building. If the Swansboro Historic Preservation Commission finds that the building has no particular significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.

An application for a certificate of appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied, except in cases where the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

If the Historic Preservation Commission or Planning Board has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not been made by the Board of Commissioners, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the Commission or Planning Board for a period of up to 180 days or until the Board of Commissioners takes final action on the designation, whichever occurs first.

Appendix III

HISTORIC DISTRICT DESIGN GUIDELINES STANDARDS

SECTION 1 COMMISSION PROCEDURES.

1.1 Obtaining A Certificate of Appropriateness (COA)

A Certificate of Appropriateness (COA) is a permit that a property owner receives indicating that a proposed exterior change has been reviewed and approved by the historic preservation commission for consistency with established historic district guidelines standards.

1.4 Treatment of “Minor Works” Projects

These projects must be consistent with the SHPC’s guidelines standards and approved by the Minor Works Committee. “Minor works” activities do require the submission of a completed Minor Works COA application form.

Note: The Minor Works Committee shall forward a “minor works” item to the SHPC for full review if the activity does not fall directly into one of the above categories or is inconsistent with the commission’s established guidelines standards.

1.5 Pre-Application Review of Projects

This pre-review, usually held with a preappointed subcommittee of the commission during the regularly scheduled work session, may help expedite the review process because it familiarizes the applicant in the early stages of project development with the applicable guidelines standards that will be used to evaluate the project proposal. It also gives commissioners an opportunity to discuss the project concept informally and identify issues that may be of concern. Informal meetings to become familiar with the SHPC’s design guidelines standards may be arranged by contacting the Administrator.

SECTION 3: ROOFS.

3.1 Roofs – Guidelines Standards

SECTION 4 EXTERIOR WALL COVERING, TRIM, AND ORNAMENTATION.

4.1 Exterior Wall Covering, Trim, and Ornamentation - Guidelines Standards

SECTION 5: WINDOWS AND DOORS.

5.1 Windows and Doors - Guidelines Standards

SECTION 6 PORCHES AND ENTRANCES.

6.1 Porches and Entrances - Guidelines Standards

SECTION 7 BRICKWORK AND MASONRY.

7.1 Brickwork and Masonry - Guidelines Standards

SECTION 8 FOUNDATIONS.

8.1 Foundations - Guidelines Standards

- 6) Existing unpainted historic foundations should not be painted. Previously painted foundations should be repainted an appropriate color, such as white or whitewash, dark green, or brick red. Avoid removing paint from a previously painted foundation. (See Brickwork and Masonry guidelines standards).

SECTION 9 CONTRIBUTING COMMERCIAL BUILDINGS.

9.1 Contributing Commercial Buildings - Guidelines Standards

SECTION 11 NEW CONSTRUCTION.

11.1 New Construction - Guidelines Standards

SECTION 12 ADDITIONS TO CONTRIBUTING BUILDINGS.

12.1 Additions to Contributing Buildings - Guidelines Standards

- 5) Materials used for the roof, siding, trim, windows, and foundations should be similar to or compatible with the materials used in the construction of the existing building. Vinyl and other synthetic siding materials are not appropriate on additions to historic buildings unless the affected building is already covered with synthetic siding. Wood windows are most appropriate for additions within the historic district; however, synthetic window materials are acceptable but not encouraged for additions provided the proposed windows meet the requirements set forth in the Windows and Doors guidelines standards.

SECTION 13 DECKS IN THE HISTORIC DISTRICT.

13.1 Decks on Contributing Buildings - Guidelines Standards

SECTION 14 FENCES AND WALLS.

14.1 Fences and Walls - Guidelines Standards

SECTION 15 ENERGY CONSERVATION AND UTILITIES.

15.1 Energy Conservation and Utilities - Guidelines Standards

- 3) Consult with Windows and Doors guidelines standards for information on installing storm doors and windows.

SECTION 16 EXTERIOR LIGHTING.

16.1 Exterior Lighting - Guidelines Standards

SECTION 17 OFF-STREET PARKING.

17.1 Off-Street Parking - Guidelines Standards

- 5) Integrate pedestrian scale lighting into parking areas to avoid excessive and illumination to adjoining properties. See Exterior Lighting guidelines standards, § 152.016, for further details on lighting standards.

SECTION 18 SIGNAGE.

18.1 Signage - Guidelines Standards

- 3) Locate wall signs on commercial buildings with storefronts in the signboard frieze located above the display windows. In this location, the sign serves as a boundary between the lower and upper facade. See Historic Commercial Buildings guidelines standards for information on storefront design.
- 11) Use contributing historic house plaques that conform to the established design used in the historic district. Consult with the SHPC regarding guidelines standards for the placement of these plaques.

SECTION 19 ARCHAEOLOGY.

19.1 Archaeology - Guidelines Standards

SECTION 21 RELOCATION OF BUILDINGS.

The SHPC will use its new construction guidelines standards when reviewing requests to move structures to lots within the historic district.

21.1 Relocation of Buildings - Guidelines Standards

- 9) Position the building on the new site so it relates to adjacent buildings and the overall streetscape. Refer to New Construction guidelines standards for further information on placement.

SECTION 22 DEMOLITION OF BUILDINGS.

22.1 Delay of Demolition

~~The North Carolina General Statutes give historic preservation commissions the authority to delay the demolition of a building, structure, or site in a locally designated historic district for a period not to exceed 365 days (one year) from the date of approval. This delay may also be imposed in situations where a commission has voted to recommend designation of a property as a landmark or historic district, but no final action on designation has been sanctioned by the local governing body. In either case, the purpose of the delay is to give the commission an opportunity to work with the property owner and other interested parties to identify alternatives to demolition.~~

~~The Swansboro Historic Preservation Commission may waive all or part of the delay period if it finds that the structure has little historic or architectural value. The delay period may also be~~

reduced under circumstances in which the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from the property due to the delay.

22.2 Denial of Demolition

The SHPC may permanently deny authorization for demolition of a contributing building, structure, or site in the locally designated Swansboro historic district if it is determined by the North Carolina State Historic Preservation Officer (NC SHPO) that the property has statewide significance as defined by the criteria of the National Register of Historic Places. Denial of demolition of buildings with statewide significance may be waived if:

- 1) The SHPC finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from the property by reason of the denial; or
- 2) The town has adopted a demolition ordinance for the property under the Swansboro Minimum Housing Code.

22.31 Demolition of Buildings - Guidelines Standards

SECTION 23 ACCESSIBILITY AND LIFE SAFETY.

23.1 Accessibility and Life Safety - Guidelines Standards

Town of Swansboro Schedule of Fees

PLANNING AND DEVELOPMENT FEES

Temporary Family Health Care Structure	\$100.00
Temporary Family Health Care Structure Annual Renewal Fee	\$50.00
Small Wireless Facilities (per location, up to 5)	\$100.00
Small Wireless Facilities (each location after 5)	\$150.00

The above amendments shall be effective upon adoption.

Adopted this 10th day of May 2021.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Paula W. Webb, Assistant Manager/Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

Chapter 160D Amendments

During its April 6, 2021 regular meeting, the Town of Swansboro Planning Board reviewed proposed amendments to the Town Code of Ordinances and Unified Development Ordinance related to Chapter 160 D of the NC General Statutes.

The proposed changes are **consistent** with the current Comprehensive Plan because they will demonstrate compliance with the North Carolina General Statutes and have been recommended for **approval** by the Planning Board.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 6th day of April 2021.

4 to 1

Vote

A handwritten signature in black ink, appearing to read "Scott Chadwick", written over a horizontal line.

Scott Chadwick, Planning Board Chairperson



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Redfish Tournament Series Fee Reduction Request**

Board Meeting Date: **May 24, 2021**

Prepared By: **Anna Stanley/Parks and Recreation Director**

Overview:

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

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

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

Town services requested:

- Use of Pug Pavilion at no or reduced charge on June 12, July 10, and August 14, form 9am-6pm
- Additional trash receptacles at the Pugliese Pavilion

Additional Details:

- Setup time would begin in the morning, with the event kicking off at noon and ending by 6pm
- Certificate of Insurance listing Town of Swansboro as additional insured has been provided.
- No street closures requested

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

Reviewed By:

Town Manager _____

Finance Director _____

Town Clerk 5/18/2021

Town Attorney _____

Date Action Approved by Board: _____

Action if different from Recommended:



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **2008 Parks and Recreation Comprehensive Master Plan Update**

Board Meeting Date: **May 24, 2021**

Prepared By: **Anna Stanley, Parks & Recreation Director**

Overview:

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

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

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

Attachments: Budget Amendment 2021-8

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

Reviewed By:

Town Manager 5/20/2021
Town Clerk 5/20/2021

Finance Director 5/20/2021
Town Attorney _____

Date Action Approved by Board: _____ **Action if different from Recommended:**

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FY 20/21

BUDGET ORDINANCE AMENDMENT #2021-8

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, 2021:

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

<u>Appropriations</u>	<u>Increase</u>
Parks & Recreation	\$30,000.00

<u>Revenues</u>	<u>Increase</u>
Appropriated Fund Balance	\$30,000.00

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, May 24, 2021.

Attest:

John Davis, Mayor

Paula Webb, Town Clerk

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

REVENUES

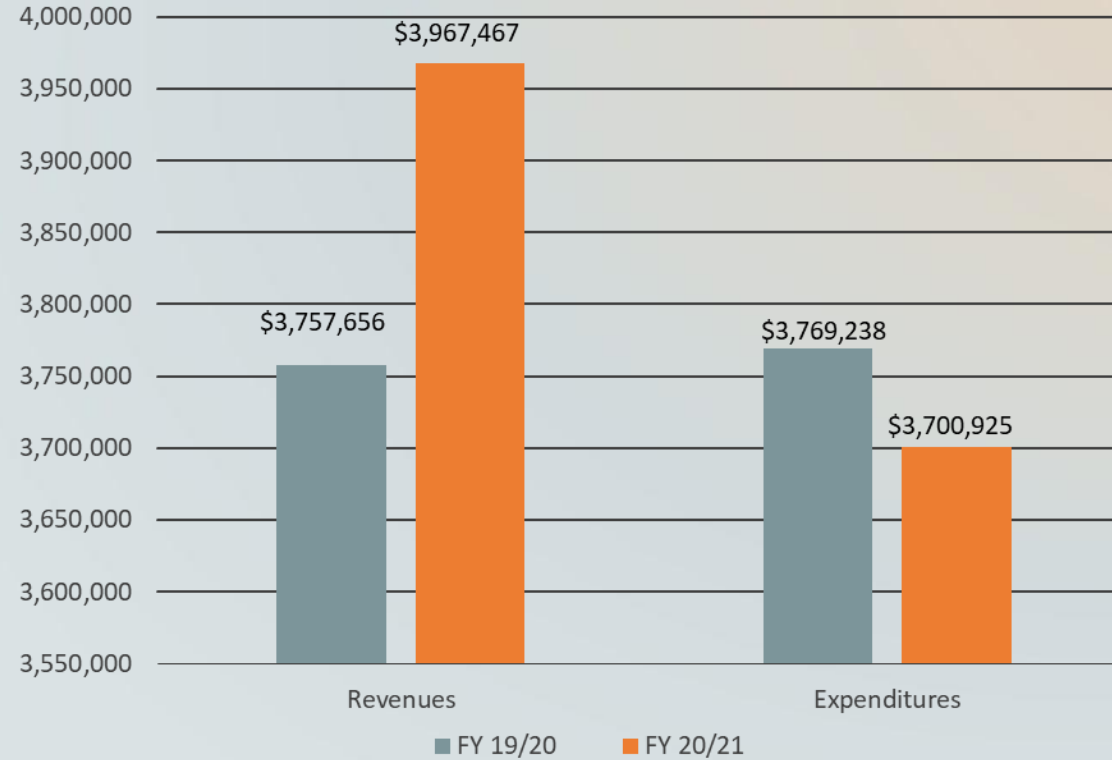
EXPENDITURES

LOAN PAYMENTS

INVESTMENTS

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

GENERAL FUND



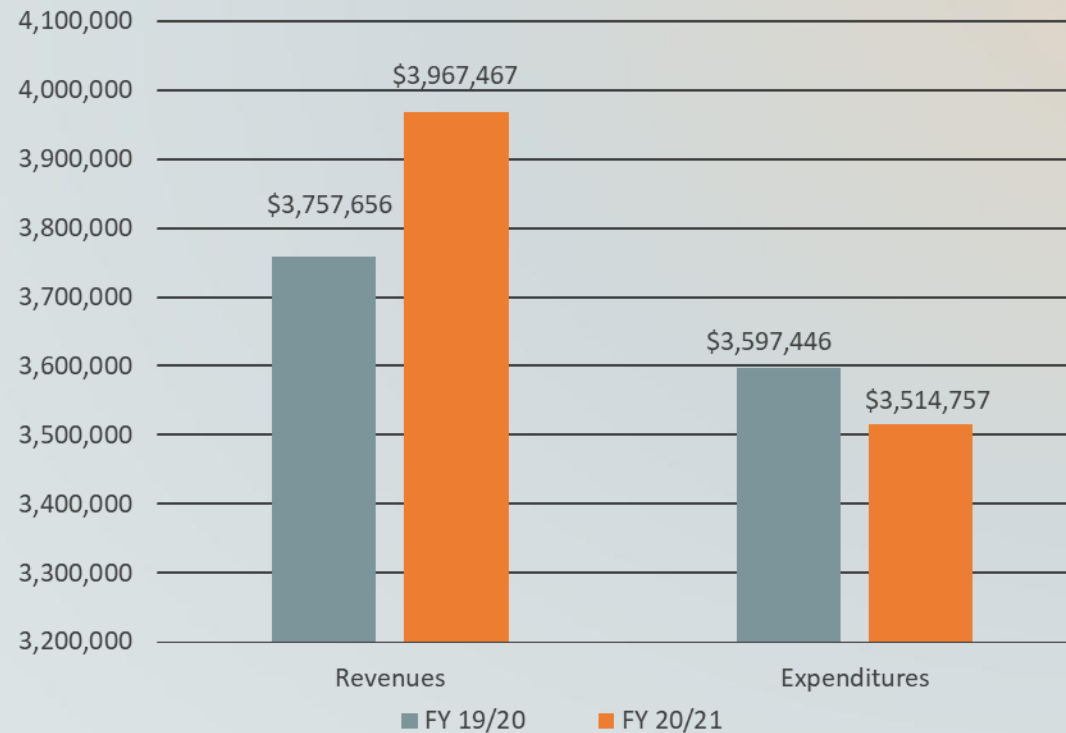
ENCUMBRANCES INCLUDED

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

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

(ACTUAL)

GENERAL FUND



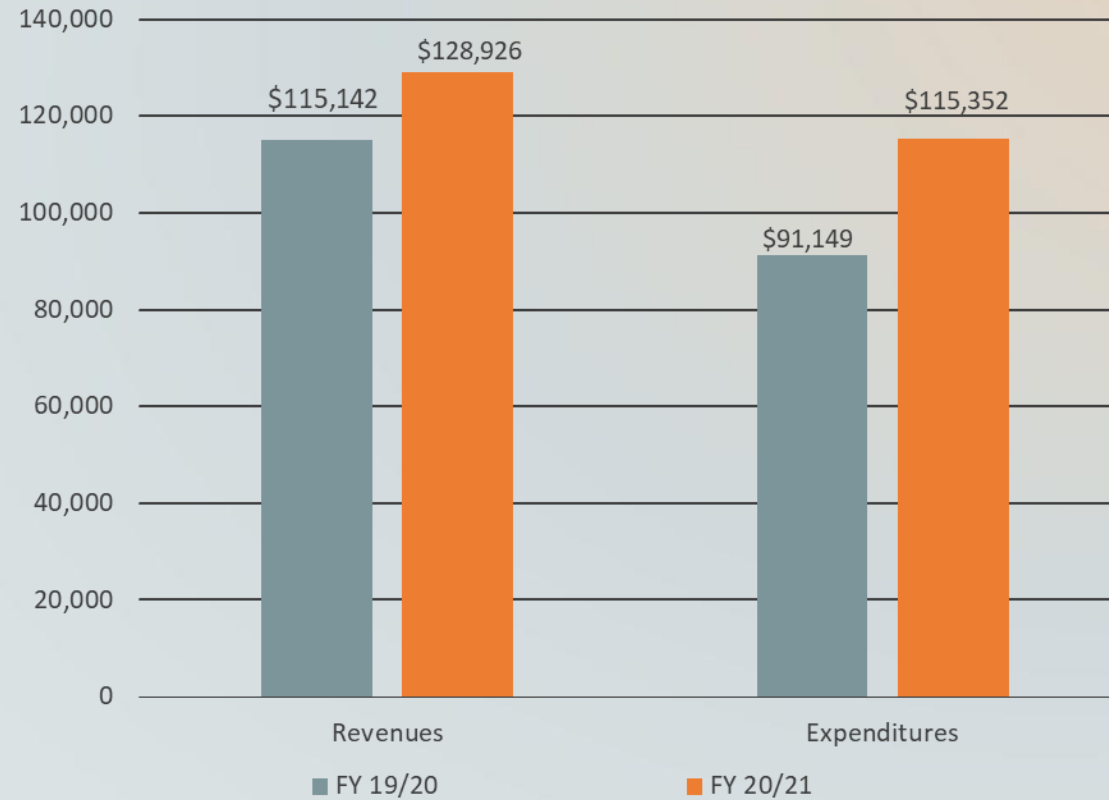
(ENCUMBRANCES NOT INCLUDED)

Total Excess of Revenues Over Expenditures \$452,710

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

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

STORMWATER ENTERPRISE FUND

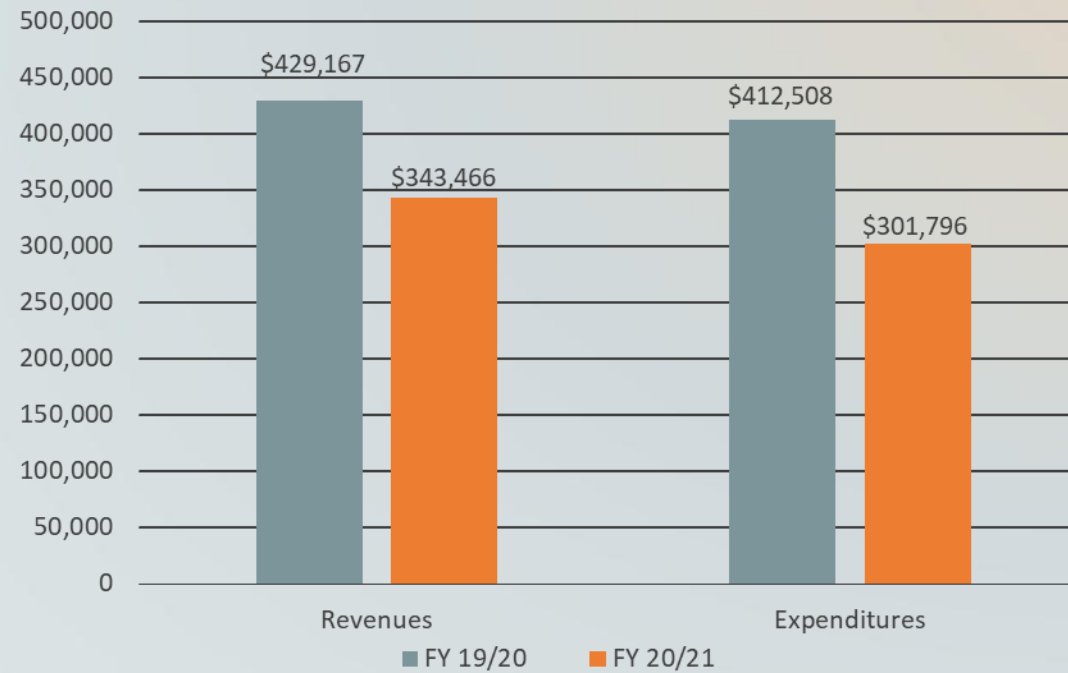


ENCUMBRANCES INCLUDED

Total Excess of Revenues Over Expenditures \$13,574

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

SOLID WASTE ENTERPRISE FUND



ENCUMBRANCES INCLUDED

Total Excess of Revenues Over Expenditures \$41,670

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

Item	Principal Balance	Interest Rate	End Date	Annual Debt Service
Town Hall/Tanker	\$534,076	2.69	03/21/2028	\$84,724
Public Safety Facility	\$160,000	2.58	12/22/2024	\$45,160
Fire Truck	\$265,418	2.08	11/01/2026	\$47,512
Equipment/Vehicles	\$50,832	1.87	11/01/2021	\$51,783
Sleeping Quarters	\$150,000	2.43	12/14/2026	\$29,253
Grapple Truck/Town Hall Generator	\$227,700	1.72	6/25/2025	\$47,917
Total Debt	\$1,388,026	68		\$306,349

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

CASH & INVESTMENTS

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

Any Questions

?



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **FY 2021-2022 Draft Budget Review**

Board Meeting Date: **May 24, 2021**

Prepared By: **Chris Seaberg, Town Manager**

Overview:

At the May 13, 2021 Budget work session, instructions were given to staff to further reduce the Town's reliance on the fund balance from the \$415,233 level presented at said meeting. Highlights of some of the adjustments are as follows:

1. Proposed New Personnel was eliminated to reduce expenses. These positions can be readdressed in the new FY potentially with reimbursements expected from FEMA or even the new ARP funding through the Federal Government.

Below are the three positions along with the total expenses that is currently being proposed

- o Planner Tech \$56,042 (previously discussed during the April 26, 2021 Board meeting)
- o Fire Fighter/Driver \$54,690
- o Maintenance Tech \$51,799
- o Total expense for all three positions is \$162,531

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

3. Although the Proposed Pay Plan is extremely important, there seems to be some questions that we should ensure are answered before finalizing. With that said, I am recommending holding off on action on this item and replace it with a 2% COLA. That reduces the budgeted expenses relative to this item \$27,000.

Please remember the purpose is to update the 2012 numbers that the Town is currently using to ensure that we can be competitive in this market. This item can be readdressed later in the FY.

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

A proposal to modify the stormwater fee as follows is also included:

Residential

Current Tier System by impervious sq ft
Proposed Flat Rate of \$5/month/year

Commercial

Current Tier System by impervious sq ft to remain

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

Reviewed By:

Town Manager _____
Town Clerk _____

Finance Director _____
Town Attorney _____

Date Action Approved by Board: _____ **Action if different from Recommended:**

	Date	Revenues	Expenditures	Assigned Fund Balance
Original-Assigned Fund Balance	4/5/2021			\$ 454,406.00
Ad Valorem-Increase per Onslow County- in home improvements & Increase in DMV Property Taxes-(\$5,600,000)	4/5/2021	\$ 19,404.00		\$ 435,002.00
Admin Services- Add Website costs	4/5/2021		12,775.00	\$ 447,777.00
Governing Body-Reduced Salaries	4/5/2021		(16,182.00)	\$ 431,595.00
Salaries/Benefits-Admin Services-Reduced Planner & Planning Tech by 25%-\$40,000 SALARY	4/22/2021		(33,239.00)	\$ 398,356.00
Salaries/Benefits-Permitting-Added Planner & Planning Tech by 25%	4/22/2021		36,520.00	\$ 434,876.00
Salaries-Calculation error	4/22/2021		762.44	\$ 435,638.44
Salaries/benefits-Probation Period ends in FY 22/23	4/22/2021		(2,981.40)	\$ 432,657.04
Salaries/benefits-Probation Period ends in FY 22/23/Salary increase to reflect Salary Study	4/22/2021		(276.98)	\$ 432,380.06
Salaries/benefits-Parks & Recreation-Increases in FY 20/21	4/22/2021		4,056.86	\$ 436,436.92
Salaries/Benefits-Reduced Salary to Grade 15-Planning Tech	4/26/2021		(3,760.86)	\$ 432,676.06
Salaries/Benefits-calculation error-Public Works- Streets	4/26/2021		(787.00)	\$ 431,889.06
Salaries/Benefits-calculation error-Powell Bill-Streets	4/26/2021		196.29	\$ 432,085.35
Salaries/Benefits-Parks & Rec-Grade Increase for Program Supervisor	4/26/2021		1,915.39	\$ 434,000.74
Fire Department-Department Head reduced budget	4/27/2021		(11,800.00)	\$ 422,200.74
Finance Department-Department Head reduced budget	4/27/2021		(5,400.00)	\$ 416,800.74
Governing Body-Department Head reduced budget	4/28/2021		(2,500.00)	\$ 414,300.74
Parks & Recreation-Department Head (budget cut)	4/28/2021		(16,087.17)	\$ 398,213.57
Festivals & Events-Increase Ads & Notices	4/28/2021		3,000.00	\$ 401,213.57
Festivals & Events-Reduce Retirement-corrected contribution percentage	4/28/2021		(3,422.84)	\$ 397,790.73
Festivals & Events-Increase Dues & Subscription	4/28/2021		2,140.00	\$ 399,930.73
Admin Services-Increase ChargePoint Annual Subscription (PEV Electric Charge Station)	4/28/2021		1,500.00	\$ 401,430.73
Debt Service Payment-(Estimated)PW, Fire, & Police vehicle/Software purchase in FY 20/21	4/28/2021		47,000.00	\$ 448,430.73
Public Buildings-Town Manager reduced budget-Asphalt at Public Works yard	4/28/2021		(8,600.00)	\$ 439,830.73
Rec Program/Contract Fees-Town Manager increased per Department Head's request	4/29/2021	10,000.00		\$ 429,830.73
Police Department-Town Manager reduced budget	4/29/2021		(8,200.00)	\$ 421,630.73
Public Works-Streets-Town Manager reduced budget	4/29/2021		(8,200.00)	\$ 413,430.73
Parks & Recreation-Town Manager reduced budget	4/29/2021		(5,000.00)	\$ 408,430.73
Salaries/Benefits-Adjusted to John Barlow's Salary Study-Fire Driver/Operator	4/29/2021		6,802.75	\$ 415,233.48
Governing Body-Town Manager reduced budget	5/18/2021		(3,600.00)	\$ 411,633.48
Admin Services-Town Manager reduced budget and	5/18/2021		(1,375.00)	\$ 410,258.48
Finance Department-Town Manager reduced budget	5/18/2021		(1,000.00)	\$ 409,258.48
Public Buildings-Town Manager reduced budget	5/18/2021		(10,000.00)	\$ 399,258.48
Public Works-Streets-Payroll calculation error	5/18/2021		411.62	\$ 399,670.10
Fire Department-Town Manager reduced budget	5/18/2021		(1,600.00)	\$ 398,070.10
Police Department-Town Manager reduced budget	5/18/2021		(8,000.00)	\$ 390,070.10
Parks & Recreation-calculation error	5/18/2021		(5,800.00)	\$ 384,270.10
Removed New Personnel-Planning Tech, Maintenance Tech, & Fire Driver/Operator	5/18/2021		(162,531.23)	\$ 221,738.87

5/20/21

Draft #3

Public Buildings-Cleaning services-Town Hall & Parks & Recreation	5/18/2021		28,800.00	\$	250,538.87
Non Departmental-Debt Service Payment adjustment	5/18/2021		(18,728.97)	\$	231,809.90
Removed Salary Study Recommendations and added a 2% COLA	5/18/2021		(27,315.48)	\$	204,494.42
Total Adjustments		29,404.00	(220,507.58)		
Beginning Assigned Fund Balance-Draft #1				\$	454,406.00
Ending Assigned Fund Balance-Draft #2				\$	415,233.48
Ending Assigned Fund Balance-Draft #3				\$	204,494.42
Assigned Fund Balance adjusted amount after BOC meeting held on 5/13/21					249,911.58

EXPENDITURES									
DEPARTMENT		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22	
#	Name	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING	Adjustments
411	Governing Body	13,432	28,474	14,098	13,593	54,886	54,886	32,797	(22,089.31)
412	Admin Services	553,983	368,626	429,255	429,563	459,526	459,526	405,713	(53,812.27)
414	Finance	176,440	228,695	300,825	300,187	260,278	260,295	253,881	(6,413.40)
415	Legal	37,228	36,705	42,000	42,000	42,000	42,000	42,000	-
426	Public Buildings	1,632,760	449,422	353,752	353,401	360,130	361,130	356,657	(4,472.50)
430	Fire	621,456	649,863	909,443	883,502	1,006,181	818,003	736,390	(81,613.33)
435	Permitting	288,078	167,043	223,915	190,837	251,036	249,536	259,116	9,580.26
450	Police	851,194	967,910	1,050,863	990,702	1,130,707	1,050,908	1,043,180	(7,727.87)
451	Streets-Public Works	146,693	161,585	296,916	291,756	218,504	217,004	157,039	(59,964.89)
452	Streets - State Aid	94,623	90,291	90,318	90,318	88,841	88,841	88,950	109.18
613	Parks & Recreation	250,184	251,543	291,304	264,621	331,812	327,562	303,470	(24,091.54)
615	Church Street Town Dock	7,288	4,574	8,230	8,153	69,878	13,708	13,708	-
620	Emergency Mgmt	1,125	334,342	169,212	166,740	1,125	1,125	1,125	-
621	Festivals & Events	74,537	73,841	95,451	11,255	116,087	116,087	117,804	1,717.16
900	Non-Departmental	374,860	488,137	510,206	510,993	337,625	337,625	365,896	28,271.03
TOTAL GENERAL FUND EXPENDITURES		\$ 5,123,881	\$ 4,301,051	\$ 4,785,788	\$ 4,547,620	\$ 4,728,614	\$ 4,398,234	4,177,727	(220,507.48)
	Excess Revenue over Expenditures				\$ (260,751)	\$ (969,790)	\$ 0.00	\$ 0.00	
ENTERPRISE FUNDS									
30	STORM WATER ENTERPRISE FUND				\$ 134,838	\$ 149,451	\$ 149,451	160,427	
31	SOLID WASTE ENTERPRISE FUND				\$ 393,309	\$ 435,525	\$ 435,525	448,321	
TOTAL ENTERPRISE FUND EXPENDITURES					\$ 528,147	\$ 584,975	\$ 584,975	608,747	
	Excess Revenue over Expenditures				\$ -	\$ -	\$ -	-	
	Total Annual Budget				\$ 5,075,767	\$ 5,313,590	\$ 4,983,210	4,786,474	

TOWN OF SWANSBORO
REVENUES FY 2021-2022

REVENUES									
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22	
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING	Adjustments
11-300-0100	TAXES-AD VALOREM - CURRENT F/Y	1,689,551	1,726,445	1,773,964	1,757,998	1,816,185	1,834,718	1,854,122	(19,404.00)
11-300-0110	TAXES-AD VALOREM - PRIOR YEARS	24,910	6,867	10,000	13,105	10,000	10,000	10,000	
11-300-0120	TAXES-PENALTIES/INTEREST	8,129	3,971	5,000	5,675	5,000	5,000	5,000	
11-310-0200	TAXES-SALES & USE TAX	881,457	951,259	750,000	1,000,000	900,000	1,050,000	1,050,000	
11-310-0210	TAXES-PRIVILEGE LICENSE	-	-	-	-	-	-	-	
11-310-0250	TAXES-OCCUPANCY	98,783	71,088	36,050	51,782	50,000	50,000	50,000	
11-310-0260	TAXES-BEER & WINE	13,722	14,018	14,000	14,000	14,000	14,000	14,000	
11-310-0270	TAXES-UTILITY FRANCHISE	239,265	238,640	230,000	222,976	230,000	230,000	230,000	
11-310-0300	POLICE DONATIONS	6,352	4,320	3,000	1,500	1,500	1,500	1,500	
11-320-0310	FIRE DONATIONS	225	550	650	225	300	300	300	
11-320-0320	PARK DONATIONS	1,188	-	-	-	-	-	-	
11-320-0340	DONATIONS-MEMORIAL TREE	-	-	-	-	-	-	-	
11-330-0400	SIDEWALK DEVELOPMENT FEE	-	8,927	-	-	-	-	-	
11-330-0405	FEES/COURT FACILITIES	9,470	5,518	5,000	3,370	3,000	3,000	3,000	
11-330-0410	TDA ADMINISTRATIVE FEE	3,600	4,100	4,100	4,100	4,100	9,410	9,410	
11-330-0415	TOWN MARINA FEES	19,575	17,090	15,000	15,000	19,000	19,000	19,000	
11-330-0430	FEES-BLDG PERMITS,INSPECTIONS, PLANNING & ZONING	209,632	243,208	150,000	210,259	200,000	215,000	215,000	
11-330-0440	HOMEOWNER'S RECOVERY FEES	360	830	1,000	1,070	500	500	500	
11-330-0460	LEASES (TIME WARNER; 106 Church St., 502 Church St.)	86,354	55,818	50,000	48,370	62,255	62,255	62,255	
11-340-0500	RENTAL FEES-OTHER ROOMS	625	230	1,000	613	1,500	1,500	1,500	
11-340-0501	RENTAL FEES - PARKS	3,630	2,298	2,200	587	2,200	2,200	2,200	
11-340-0502	RENTAL FEES - RECREATION ROOMS	20,340	14,380	19,000	4,747	10,000	10,000	10,000	
11-340-0503	REC PROGRAM/CONTRACT FEES	30,627	21,221	30,000	14,072	50,430	20,000	30,000	(10,000.00)
11-340-0504	RENTAL FEES-OLD TOWN HALL	-	-	-	-	500	500	500	
11-350-0525	SOLID WASTE DISPOSAL TAX	2,086	2,307	2,079	2,300	2,079	2,079	2,079	
11-355-0550	REFUNDS-GAS TAX	12,230	8,999	9,600	9,600	9,600	9,600	9,600	
11-360-0600	STATE RD - POWELL BILL	81,993	82,342	82,342	80,205	80,205	80,205	80,205	
11-365-0700	COUNTY FUNDING/FIRE DEPT	169,945	175,445	170,995	170,995	170,995	192,087	192,087	
11-365-0701	TAXES-ABC DISTRIBUTION	52,907	45,657	37,000	47,271	45,000	50,000	50,000	
11-370-0800	INVESTMENT EARNINGS/GF	42,378	41,710	25,000	989	1,000	1,000	1,000	
11-370-0810	SALE OF FIXED ASSETS	20,200	3,190	-	1,306	-	-	-	
11-370-0820	ONWASA-SATELLITE OFFICE PAYMENT	35,000	35,000	35,000	35,000	35,000	35,000	35,000	
11-370-0830	MISCELLANEOUS INCOME	42,532	27,689	12,000	7,230	8,064	8,064	8,064	
11-370-0840	HOOK & BONES REDFISH TOURNAMENT	950	-	-	-	-	-	-	
11-370-0843	PARADE	875	1,900	1,500	-	500	1,000	1,000	
11-370-0845	FESTIVALS & EVENTS	85,812	45,010	46,450	953	18,050	18,050	18,050	
11-370-0855	POLICE REIMBURSEMENT	2,380	2,922	3,700	2,467	-	-	-	
11-370-0860	POLICE DRUG SUBSTANCE	409	3,087	-	-	-	-	-	
11-370-0870	LOAN PROCEEDS/GENERAL FUND	-	227,700	149,200	149,200	-	-	-	

TOWN OF SWANSBORO
REVENUES FY 2021-2022

11-370-0880	INSURANCE PROCEEDS	996,574	180,646	5,259	9,126	-	-	-	
11-380-0900	POLICE GRANTS	-	11,278	-	-	-	-	-	
11-380-0910	FIRE GRANTS	-	-	-	-	-	-	-	
11-380-0920	GRANT - WELLNESS/WORKERS' COMP(NCLM)	1,754	-	5,000	5,000	-	-	-	
11-380-0927	GRANT-SWANSBORO TDA	5,000	13,000	-	-	-	-	-	
11-380-0930	GRANTS-VARIOUS	681,285	240,666	140,773	264,236	-	-	-	
11-390-0950	TRANSFER FROM OTHER FUNDS	21,266	-	-	-	-	-	-	
11-390-0951	TRANSFER FROM CAPITAL RESERVE	-	31,458	123,634	123,634	-	-	-	
11-390-0952	TRANSFER FROM PARK & REC RESERVE	7,500	-	-	-	-	-	-	
11-399-0990	FUND BAL-POWELL BILL	-	-	7,909	7,909	7,861	7,861	7,861	
11-399-0991	GF FUND BALANCE APPROPRIATED	-	-	669,715	-	-	454,406	204,494	(29,404.00)
	TOTAL GENERAL FUND REVENUES	\$ 5,610,868	\$ 4,570,781	\$ 4,627,120	\$ 4,286,869	\$ 3,758,824	\$ 4,398,234	\$ 4,177,727	
	ENTERPRISE FUNDS								
	REVENUES								
	SOLID WASTE								
	USER FEES		\$ 328,044	\$ 378,720	\$ 393,309	\$ 435,525	\$ 435,525	\$ 448,321	
	TRANSFER FROM GENERAL FUND		\$ 154,465	\$ 12,250	\$ 12,250	\$ -	\$ -	\$ -	
	APPROPRIATED FUND BALANCE		\$ -	\$ 1,147	\$ -	\$ -	\$ -	\$ -	
	TOTAL:SOLID WASTE		\$ 482,509	\$ 392,117	\$ 405,559	\$ 435,525	\$ 435,525	\$ 448,321	
	STORMWATER								
	USER FEES		\$ 102,549	\$ 109,686	\$ 109,686	\$ 119,431	\$ 119,431	\$ 155,012	
	NCDOT-STREET SWEEPING/STREET MAINTENANCE		\$ 6,038	\$ 7,638	\$ 5,415	\$ 5,415	\$ 5,415	\$ 5,415	
	TRANSFER FROM GENERAL FUND		\$ 9,337	\$ 15,425	\$ 12,250	\$ -	\$ -	\$ -	
	APPROPRIATED FUND BALANCE		\$ -	\$ -	\$ 7,487	\$ 24,605	\$ 24,605	\$ -	
	TOTAL:STORMWATER		\$ 117,924	\$ 132,749	\$ 134,838	\$ 149,451	\$ 149,451	\$ 160,427	
	TOTAL REVENUES FOR ENTERPRISE FUNDS		\$ 600,432	\$ 524,866	\$ 540,397	\$ 584,975	\$ 584,976	\$ 608,748	
	TOTAL REVENUES		\$ 5,171,213	\$ 5,151,987	\$ 4,827,266	\$ 4,343,799	\$ 4,983,210	\$ 4,786,474	

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

GOVERNING BODY								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-411-1700	SALARIES-ELECTED OFFICIALS	8,893	8,819	8,963	8,968	24,000	24,000	9,147
11-411-1810	FICA	680	674	685	686	1,836	1,836	700
11-411-2010	SUPPLIES - DEPARTMENT	1,162	2,206	1,600	221	2,000	2,000	1,500
11-411-3100	TRAVEL/CONFERENCE/TRAINING	258	1,961	200	70	8,600	8,600	6,600
11-411-3125	SUBSISTENCE	1,243	790	1,500	112	1,150	1,150	1,150
11-411-3910	ADS/NOTICES	520	606	1,000	736	1,000	1,000	1,000
11-411-4140	EXPENSE-RECORDATIONS	26	78	200	-	200	200	200
11-411-6900	CONTRIBUTIONS-AGENCIES	650	8,100	(50)	2,800	10,600	10,600	7,000
11-411-6920	EXPENSE-ELECTION	-	5,241		-	5,500	5,500	5,500
DEPARTMENT TOTAL		\$ 13,432	\$ 28,474	\$ 14,098	\$ 13,593	\$ 54,886	\$ 54,886	\$ 32,797
Mayor	500							
5 Commissioners	300							

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

ADMINISTRATIVE SERVICES								
LINE ITEM	DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-412-1210	SALARIES-FULL TIME	169,209	246,392	267,638	272,510	302,428	302,428	255,403
11-412-1220	SALARIES-OVERTIME	-	39	-	218	-	-	-
11-412-1230	SALARIES-PART TIME	44,848	422	-	446	-	-	-
11-412-1231	LONGEVITY	1,363	1,319	1,425	446	1,681	1,681	1,519
11-412-1232	CELL PHONE STIPEND	1,000	1,938	2,250	2,250	2,475	2,475	2,381
11-412-1234	AUTO ALLOWANCE	5,497	3,000	3,600	3,600	3,600	3,600	3,600
11-412-1235	LIVING EXPENSES	6,541	(220)	-	-	-	-	-
11-412-1810	FICA	17,666	18,464	20,515	20,745	23,729	23,729	20,112
11-412-1815	FEES-OTHER	-	1,410	-	2,500	-	-	-
11-412-1820	RETIREMENT	15,027	23,686	31,482	30,081	43,640	43,640	36,210
11-412-1830	INSURANCE - GROUP	22,087	27,230	35,829	37,605	42,126	42,126	33,742
11-412-1930	SERVICES-PROFESSIONAL	181,632	25,039	28,915	25,584	3,000	3,000	3,000
11-412-1940	SERVICES-PLANNING CONSULTANT	-	-	5,000	3,368	5,000	5,000	5,000
11-412-1950	SERVICES-SOFTWARE SUPPORT	-	-	-	-	1,500	1,500	1,500
11-412-1990	SERVICES-OTHER	72,113	2,644	9,500	8,081	9,680	9,680	23,955
11-412-2010	SUPPLIES-DEPARTMENT	1,287	1,062	2,101	895	2,500	2,500	2,500
11-412-3100	TRAVEL/CONFERENCE/TRAINING	4,972	5,522	2,000	4,548	6,700	6,700	5,500
11-412-3150	TRANSPORTATION EXPENSE	-	-	-	-	500	500	500
11-412-3125	SUBSISTENCE	209	392	500	420	500	500	500
11-412-3520	R/M EQUIPMENT	29	-	100	-	-	-	-
11-412-3910	ADS/NOTICES	1,210	487	500	365	500	500	325
11-412-4910	DUES/PROF SUBSCRIPTIONS	9,294	9,801	12,500	10,500	9,966	9,966	9,966
11-412-5000	CAPITAL OUTLAY	-	-	5,399	5,399	-	-	-
DEPARTMENT TOTAL		\$ 553,983	\$ 368,626	\$ 429,255	\$ 429,563	\$ 459,526	\$ 459,526	\$ 405,713
Town Manager								
Assistant Manager								
Deputy Clerk-75%								
Admin Services Representative-75%								
Planner-50%								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

FINANCE								
LINE ITEM	DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-414-1210	SALARIES-FULL TIME	93,766	133,797	137,024	136155	141,042	141,042	141,031
11-414-1230	SALARIES-PART TIME	4,392	-	-	0	-	-	-
11-414-1231	LONGEVITY	475	675	750	675	750	750	750
11-414-1232	CELL PHONE STIPEND	600	600	600	600	600	600	600
11-414-1810	FICA	7,479	9,620	10,311	9903	10,893	10,893	10,892
11-414-1815	FEES OTHER	2,092	4,780	4,500	1693	4,560	4,560	4,560
11-414-1816	MERCHANT FEES	(530)	(3,128)	-	0	-	-	-
11-414-1820	RETIREMENT	8,185	12,840	16,119	15073	20,352	20,352	20,351
11-414-1830	INSURANCE-GROUP	6,921	12,930	9,496	11878	17,179	17,179	17,179
11-414-1910	SERVICES-AUDITOR	10,800	14,800	11,800	11800	12,500	12,500	12,500
11-414-1930	SERVICES -PROFESSIONAL	7,204	6,153	6,280	7221	6,840	6,840	6,840
11-414-1950	SERVICES-SOFTWARE SUPPORT	6,362	6,680	7,035	6715	7,051	7,068	7,068
11-414-1990	SERVICES - OTHER	2,344	2,939	4,700	4900	-	-	-
11-414-2010	SUPPLIES-DEPARTMENT	1,183	1,262	2,000	1102	2,000	2,000	1,000
11-414-2600	SUPPLIES-OFFICE	2,258	2,882	7,500	2218	7,500	7,500	4,500
11-414-3100	TRAVEL/CONFERENCE/TRAINING	1,716	515	-	4810	3,400	3,400	1,000
11-414-3150	TRANSPORTATION EXPENSE	-	-	-	17	300	300	300
11-414-4910	DUES/PROF SUBSCRIPTIONS	255	260	310	427	310	310	310
11-414-5000	CAPITAL OUTLAY	-	-	60,000	60000	-	-	-
11-414-6910	EXPENSE-TAX COLLECTION	20,939	\$ 21,089.95	\$ 22,400.00	25000	\$ 25,000	25,000	25,000
DEPARTMENT TOTAL		\$ 176,440	\$ 228,695	\$ 300,825	\$ 300,187	\$ 260,278	\$ 260,295	\$ 253,881
Finance Director								
Finance Technician								
Finance Clerk								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

LEGAL								
LINE ITEM	DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-415-1920	Services-Legal General	27,750	29,360	29,000	29,000	29,000	29,000	29,000
11-415-1924	Services-Legal Special Meetings	-	1,253	1,000	1,000	1,000	1,000	1,000
11-415-1926	Services-Legal-Loans/Grants/Property	-	1,685	2,000	2,000	2,000	2,000	2,000
11-415-1927	Services-Legal Litigation	9,478	4,408	10,000	10,000	10,000	10,000	10,000
11-415-6930	Contingency	-	-	-	-	-	-	-
DEPARTMENT TOTAL		\$ 37,228	\$ 36,705	\$ 42,000	\$ 42,000	\$ 42,000	\$ 42,000	\$ 42,000

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

PUBLIC BUILDINGS								
LINE ITEM	DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-426-1210	SALARIES-FULL TIME	40,469	41,653	43,745	47,063	54,837	54,837	43,958
11-426-1230	SALARIES-PART TIME	2,130	-	-	-	-	-	-
11-426-1231	LONGEVITY	425	450	475	475	150	150	150
11-426-1232	CELL PHONE STIPEND	300	300	300	300	375	375	375
11-426-1810	FICA	3,192	3,253	3,318	3,652	4,235	4,235	3,403
11-426-1820	RETIREMENT	3,044	3,552	4,943	4,632	7,913	7,913	4,951
11-426-1830	INSURANCE-GROUP	120	101	-	831	8,410	8,410	8,410
11-426-1930	SERVICES-PROFESSIONAL	499,785	5,700	6,500	6,500	6,500	10,000	38,800
11-426-2010	SUPPLIES-DEPARTMENT	1,348	1,576	2,800	2,800	2,800	2,800	2,800
11-426-2120	UNIFORMS	920	226	980	705	980	980	980
11-426-2130	JANITORIAL SUPPLIES	3,935	4,856	5,000	5,000	5,000	5,000	5,000
11-426-2500	SUPPLIES-GAS/OIL	1,093	1,774	2,600	2,667	3,500	2,500	2,500
11-426-3100	TRAVEL/CONFERENCE/TRAINING	-	275	-	-	-	-	-
11-426-3310	UTILITIES	56,584	56,517	57,300	57,300	58,000	58,000	58,000
11-426-3315	TIME WARNER	-	-	-	393	-	-	-
11-426-3520	R/M EQUIPMENT	1,682	4,527	1,800	1,173	2,500	2,500	2,500
11-426-3530	R/M VEHICLES	1,351	1,267	1,800	1,585	2,500	2,500	2,500
11-426-3540	REPAIRS/MAINT-BUILDING/GROUNDS	685,297	8,833	41,400	23,213	5,300	5,300	4,050
11-426-3542	REPAIRS/MAINT-TOWN HALL	37,706	5,089	15,411	2,067	5,300	5,300	4,050
11-426-3543	REPAIRS/MAINT-VISITOR CENTER	16,845	595		1,584	5,300	5,300	4,050
11-426-3544	REPAIRS/MAINT-CIGAR SHOP	-	4,818		-	5,300	5,300	4,050
11-426-3545	REPAIRS/MAINT-OLD TOWN HALL	-	871		403	5,300	5,300	4,050
11-426-3546	REPAIRS/MAINT-PSB	102,061	2,277		21,353	5,300	5,300	4,050
11-426-3547	REPAIRS/MAINT-PUBLIC WORKS OFFICE	-	743	15,411	3,102	5,300	5,300	4,050
11-426-3548	REPAIRS/MAINT-PARKS & RECREATION	545	5,770		1,463	5,300	5,300	4,050
11-426-5000	CAPITAL OUTLAY	40,000	163,335	12,250	14,977	10,100	8,600	-
11-426-5001	NON-CAPITALIZED OUTLAY	3,043	-	5,100	2,133	1,900	1,900	1,900
11-426-7900	LOAN REPAYMENT - LAND/BLDGS	130,884	131,063	148,030	148,030	148,030	148,030	148,030
DEPARTMENT TOTAL		\$ 1,632,760	\$ 449,422	\$ 353,752	\$ 353,401	\$ 360,130	\$ 361,130	\$ 356,657
Current Maintenance Tech-2.5 months								
Vacant Maintenance Tech								
Loan Repayment								
Town Hall Annex-\$72,862.57								
Public Safety Building-\$44,128								
Public Works Equipment Debt Service/Lease-\$15,715.43								
Town Hall Generator-\$15,324								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

FIRE								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
LINE ITEM	DESCRIPTION							
11-430-1210	SALARIES-FULL TIME	177,246	157,091	254,652	225,000.00	303,874	303,874	257,325
11-430-1220	SALARIES-OVERTIME	5,759	7,106	6,500	8,925.35	9,000	9,000	9,000
11-430-1230	SALARIES-PART TIME	185,245	180,765	170,000	170,000.00	170,000	135,000	135,000
11-430-1231	LONGEVITY	5,375	5,069	5,938	4,112.50	6,375	6,375	6,300
11-430-1710	VOLUNTEERS/RETENTION	4,145	2,623	8,000	10,000.00	12,000	12,000	12,000
11-430-1810	FICA	28,530	26,334	31,121	26,968.16	38,346	35,668	32,101
11-430-1815	FEES OTHER	13	-	1,500	630.00	1,500	1,500	1,500
11-430-1820	RETIREMENT	14,152	15,559	26,873	24,240.86	45,148	45,148	38,431
11-430-1830	INSURANCE-GROUP	19,373	17,064	31,747	42,732.60	60,830	60,830	49,525
11-430-1930	SERVICES-PROFESSIONAL	-	-	-	2,000.00	1,500	1,500	1,500
11-430-1950	SERVIVCES-SOFTWARE SUPPORT	2,391	2,604	3,500	3,872.00	3,500	3,500	2,700
11-430-1990	SERVICES-OTHER	711	830	-	868.00	1,000	1,000	1,000
11-430-2010	SUPPLIES-DEPARTMENT	2,834	1,947	7,800	7,800.00	7,000	7,000	7,000
11-430-2014	EMS-SUPPLIES	2,055	3,881	3,000	3,000.00	4,000	4,000	1,000
11-430-2015	FIRE PREVENTION	3,664	962	3,000	3,000.00	3,000	3,000	1,000
11-430-2120	UNIFORMS	1,500	2,516	4,500	4,500.00	4,000	4,000	4,000
11-430-2350	MEDICAL EXAMS	-	1,400	4,625	2,000.00	2,000	2,000	2,000
11-430-2500	SUPPLIES-GAS/OIL	9,147	7,444	15,000	15,000.00	15,000	15,000	15,000
11-430-3100	TRAVEL/CONF/TRAINING	529	1,140	350	-	2,000	2,000	2,000
11-430-3125	SUBSISTENCE	1,482	1,326	-	-	1,000	1,000	1,000
11-430-3210	TELEPHONE	1,617	4,518	1,600	2,584.71	2,900	2,900	2,900
11-430-3250	POSTAGE	-	-	100	-	100	100	-
11-430-3315	TIME WARNER	-	-	-	90.00	90	90	90
11-430-3520	R/M EQUIPMENT	14,495	11,278	13,000	13,000.00	13,000	13,000	10,000
11-430-3530	R/M VEHICLES	22,778	5,942	15,259	18,034.25	20,000	20,000	20,000
11-430-3540	R/M BUILDINGS	-	161	1,500	-	1,500	1,500	-
11-430-4910	DUES/PROF SUBSCRIPTIONS	2,304	1,677	6,100	3,249.33	6,000	6,000	3,000
11-430-5000	CAPITAL OUTLAY	5,812	-	76,570	76,570.00	-	-	-
11-430-5001	NON-CAPITALIZED OUTLAY	20,458	26,394	49,737	49,737.00	50,000	30,000	30,000
11-430-7900	LOAN REPAYMENTS	89,841	89,233	90,587	90,587.00	88,018	88,018	88,018
11-430-7922	GRANT - EQUIPMENT	-	-	1,883	-	3,000	3,000	3,000
	CAPITAL RESERVE	-	75,000	75,000	75,000.00	130,500	-	-
DEPARTMENT TOTAL		\$ 621,456	\$ 649,863	\$ 909,443	883,501.76	\$ 1,006,181	\$ 818,003	\$ 736,390
	Current Fire Chief-2 months							
	New Fire Chief-Fire Inspector 75%							
	3 Captains							
	2 Drivers							
	CIP Set Aside							
	1705 Replacement-\$20,500							
	Ladder Truck 1717-\$110,000							
	Loan Repayment							
	Sleeping Quarters-\$28,645.00							
	Fire Truck-\$47,512.03							
	Ladder Truck-\$11,861.37							

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

PERMITTING								
LINE ITEM	DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-435-1210	SALARIES-FULL TIME	181,086	119,055	157,082	134,530	168,174	168,174	175,860
11-435-1220	SALARIES-OVERTIME	-	13			-	-	-
11-435-1230	SALARIES-PART TIME	1,398	-	-	-	-	-	-
11-435-1231	LONGEVITY	938	663	907	831	1,032	1,032	1,050
11-435-1232	CELL PHONE STIPEND	1,475	788	450	1,050	525	525	675
11-435-1234	AUTO ALLOWANCE	1,350	-	-	-	-	-	-
11-435-1810	FICA	12,197	8,560	11,832	9,616	12,984	12,984	13,585
11-435-1815	FEES-OTHER	-	3	-		-	-	-
11-435-1820	RETIREMENT	16,503	11,549	18,331	14,425	24,268	24,268	25,377
11-435-1830	GROUP INSURANCE	20,403	19,068	27,338	23,643	31,453	31,453	31,470
11-435-1930	SERVICES-PROFESSIONAL	13,037	2,202	-	-	-	-	-
11-435-1940	SERVICES-PLANNING CONSULTANT	27,475	-	-	-	-	-	-
11-435-1990	SERVICES-OTHER	5,944	1,035	3,000	3,000	6,500	5,000	5,000
11-435-2010	SUPPLIES-DEPARTMENT	1,900	206	300	300	300	300	300
11-435-2120	UNIFORMS	-	225	200	323	500	500	500
11-435-2500	SUPPLIES-GAS/OIL	902	8	25	38	500	500	500
11-435-3100	TRAVEL/CONFERENCE/TRAINING	830	905	2,500	1,382	2,500	2,500	2,500
11-435-3125	SUBSISTENCE	219	-	-	-	-	-	-
11-435-3150	TRANSPORTATION EXPENSE	420	338	-	283	-	-	-
11-435-3210	TELEPHONE	456	1,266	1,100	852	1,000	1,000	1,000
11-435-3530	REPAIRS/MAINT-VEHICLES	6	-	-	-	-	-	-
11-435-4910	DUES/PROF SUBSCRIPTIONS	1,002	358	300	-	100	100	100
11-435-6000	BOARD EXPENSES	98	-	-	-	-	-	-
11-435-6990	HOMEOWNERS RECOVERY FUND	440	801	550	564	1,200	1,200	1,200
DEPARTMENT TOTAL		\$ 288,078	\$ 167,043	\$ 223,915	\$ 190,837	\$ 251,036	\$ 249,536	\$ 259,116
Permitting Clerk-100%								
Maintenance Tech/Building Inspector 100%								
Public Works Director-50%								
Deputy Clerk-25%								
Admin Services Representative-25%								
Planner-50%								
New Fire Chief-25%								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

POLICE								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-450-1210	SALARIES-FULL TIME	511,398	575,644	621,537	587,670	628,730	628,730	633,847
11-450-1220	SALARIES-OVERTIME	27,669	22,567	15,000	17,452	15,000	15,000	15,000
11-450-1230	SALARIES-PART TIME	-	-	2,400	-	2,400	2,400	2,400
11-450-1231	LONGEVITY	2,650	3,700	3,675	3,175	3,900	3,900	3,925
11-450-1300	SEPARATION ALLOW (Parrish)	16,726	17,316	18,500	18,500	18,500	18,500	18,500
11-450-1810	FICA	41,762	45,640	49,511	45,810	51,143	51,143	51,536
11-450-1820	RETIREMENT	68,569	84,951	99,858	92,067	105,976	105,976	108,913
11-450-1830	INSURANCE-GROUP	65,086	84,669	100,636	91,298	100,992	100,992	100,992
11-450-1930	SERVICES-PROFESSIONAL	900	-	1,200	1,200	1,200	1,200	1,200
11-450-1950	SERVIVCES-SOFTWARE SUPPORT	4,026	4,092	3,500	5,456	3,500	3,500	3,500
11-450-1990	SERVICES-OTHER	726	768	3,200	835	4,550	4,550	4,550
11-450-2010	SUPPLIES-DEPARTMENT	6,494	2,812	8,700	8,700	9,000	9,000	9,000
11-450-2120	UNIFORMS	2,095	989	5,000	2,523	5,000	5,000	2,500
11-450-2350	MEDICAL EXAMS	450	-	3,500	733	2,500	1,500	1,500
11-450-2500	SUPPLIES-GAS/OIL	28,885	24,708	32,000	32,000	43,000	43,000	35,000
11-450-3100	TRAVEL/CONF/TRAINING	97	275	1,500	1,500	5,000	5,000	1,000
11-450-3125	SUBSISTENCE	31	-	-	-	-	-	-
11-450-3210	TELEPHONE	4,818	5,377	7,500	7,500	7,500	7,500	7,500
11-450-3520	R/M EQUIPMENT	1,285	1,217	3,800	3,800	5,500	5,500	3,800
11-450-3530	R/M VEHICLES	14,392	16,761	14,605	15,242	18,000	18,000	18,000
11-450-4910	DUES/PROF SUBSCRIPTIONS	-	-	400	400	500	500	500
11-450-5000	CAPITAL OUTLAY	36,039	59,095	19,200	19,200	72,000	-	-
11-450-5001	NON-CAPITALIZED OUTLAY	2,079	2,312	20,624	20,624	11,799	5,000	5,000
11-450-7900	LOAN REPAYMENTS	15,017	15,017	15,017	15,017	15,017	15,017	15,017
11-450-7922	GRANT - EQUIPMENT	-	-	-	-	-	-	-
DEPARTMENT TOTAL		\$ 851,194	\$ 967,910	\$ 1,050,863	\$ 990,702	\$ 1,130,707	\$ 1,050,908	\$ 1,043,180
13 Officers								
4 Auxillary Police Officers								
1 Admin Assistant								
Loan Repayment-2 Patroll Vehicles-\$15,017								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

PUBLIC WORKS-STREETS								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-451-1210	SALARIES-FULL TIME	41,577	57,621	60,288	54048	87,680	87,680	52,524
11-451-1220	SALARIES-OVERTIME	822	-	-	-	-	-	-
11-451-1230	SALARIES-PART TIME	2,815	-	-	-	-	-	-
11-451-1231	LONGEVITY	275	375	406	231	413	413	263
11-451-1232	CELL PHONE STIPEND	300	438	450	450	750	750	450
11-451-1720	FEES-CONTRACT LABOR	392	-	-	-	-	-	-
11-451-1810	FICA	3,348	4,352	4,579	4147	6,796	6,796	4,073
11-451-1820	RETIREMENT	3,695	5,696	7,089	5860	12,652	12,652	7,579
11-451-1830	INSURANCE-GROUP	6,747	9,589	10,555	11427	18,903	18,903	10,541
11-451-1990	SERVICES-OTHER	42	-	-	96	-	-	-
11-451-2010	SUPPLIES-DEPARTMENT	1,440	2,006	2,900	2900	2,700	2,700	2,700
11-451-2120	UNIFORMS	396	334	493	296	50	50	50
11-451-2500	SUPPLIES-GAS/OIL	2,798	3,812	4,000	5333	4,000	4,000	4,000
11-451-3100	TRAVEL/CONFERENCE/TRAINING	246	108	200	-	-	-	-
11-451-3311	STREET LIGHTS	39,751	44,703	40,000	44000	48,000	48,000	48,000
11-451-3520	R/M EQUIPMENT	617	2,115	3,400	3400	3,800	3,800	3,800
11-451-3530	R/M VEHICLES	1,161	1,905	2,800	2800	-	-	-
11-451-3540	R/M BUILDING/GROUNDS	73	66	-	-	-	-	-
11-451-3541	R/M STREETS	-	-	875	875	4,500	4,500	4,500
11-451-3550	R/M TRAFFIC SIGNS	2,232	2,385	3,000	3200	4,000	4,000	3,000
11-451-4910	DUES/PROFESSIONAL SUBSCRIP	40	40	200	53	60	60	60
11-451-5000	CAPITAL OUTLAY	-	-	26,475	23432	-	-	-
11-451-5001	NON-CAPITALIZED OUTLAY	7,777	5,461	-	-	4,700	3,200	-
11-451-5002	SIDEWALKS CONSTRUCTION/MAINTENANCE	18,060	7,279	116,634	116634	5,000	5,000	1,000
11-451-7900	LOAN REPAYMENTS	12,088	13,299	12,573	12573	14,500	14,500	14,500
DEPARTMENT TOTAL		\$ 146,693	\$ 161,585	\$ 296,916	\$ 291,756	\$ 218,504	\$ 217,004	\$ 157,039
Public Works Director-25%								
Maintenance Tech-100%								
Public Works Equipment Debt Service/Lease-\$12,573								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

POWELL BILL-STREETS								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-452-1210	Salaries-Full-Time	-	3,391	3,531	3,531	3,639	3,639	3,639
11-452-1220	Salaries-Overtime	-	-	-	-	-	-	-
11-452-1231	Longevity	-	15	16	16	18	18	18
11-452-1232	Cell Phone Stipend	-	28	30	30	30	30	30
11-452-1810	FICA	-	261	269	269	282	282	282
11-452-1820	Retirement	-	334	390	390	416	416	525
11-452-1830	Insurance-Group	-	381	422	422	422	422	422
11-452-1930	Services-Professional	-	300	300	875	3,500	3,500	3,500
11-452-2010	Supplies-Department	514	945	2,500	2,500	2,500	2,500	2,500
11-452-2500	Supplies-Gas/Oil	2,128	2,181	3,500	3,000	3,500	3,500	3,500
11-452-3520	R/M Equipment	2,539	1,137	2,800	2,983	3,500	3,500	3,500
11-452-3530	R/M Vehicles	243	576	2,800	2,800	2,500	2,500	2,500
11-452-3541	R/M Streets	52,930	78,247	66,500	66,500	65,000	65,000	65,000
11-452-5000	Capital Outlay	26,386	-	-	-	-	-	-
11-452-5001	Non-Capital Outlay	8,600	-	4,900	4,642	-	-	-
11-452-5002	Sidewalks	1,284	-	-	-	-	-	-
11-452-7900	Loan Repayment	-	2,495	2,360	2,360	3,535	3,535	3,535
DEPARTMENT TOTAL		\$ 94,623	\$ 90,291	\$ 90,318	\$ 90,318	\$ 88,841	\$ 88,841	\$ 88,950
Public Works Director-5%								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

PARKS & RECREATION								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-613-1210	SALARIES FULL TIME	121,241	116,925	130,307	127,899	130,723	130,723	133,013
11-613-1220	SALARIES OVERTIME	1,248	364	-	-	-	-	-
11-613-1230	SALARIES PART TIME	28,148	31,864	36,990	30,642	46,160	46,160	46,160
11-613-1231	LONGEVITY	1,225	1,425	1,425	1,450	1,525	1,525	1,525
11-613-1232	CELL PHONE STIPEND	875	850	1,200	1,200	1,200	1,200	1,200
11-613-1810	FICA	11,663	11,446	12,620	10,962	13,740	13,740	13,915
11-613-1815	FEES OTHER	1,054	2,282	4,170	1,239	4,170	4,170	4,170
11-613-1816	MERCHANT FEES	(1,171)	(1,503)	1,200	-	1,200	1,200	1,200
11-613-1820	RETIREMENT	9,686	10,466	15,210	11,802	18,863	18,863	19,194
11-613-1830	INSURANCE-GROUP	12,043	7,103	16,877	8,539	8,587	8,587	8,587
11-613-1930	PROFESSIONAL SERVICES	11,818	3,930	4,700	988	5,904	5,904	5,000
11-613-1950	SERVICES-SOFTWARE SUPPORT	-	-	1,800	3,900	4,300	4,300	4,300
11-613-1990	SERVICES-OTHER	10,794	7,228	1,150	161	1,470	1,470	1,470
11-613-2009	SUPPLIES-PROGRAMMING	11,094	7,597	4,850	4,834	6,010	6,010	3,640
11-613-2010	SUPPLIES-DEPARTMENT	1,216	2,740	3,170	2,251	4,711	4,711	3,116
11-613-2023	CLASS INSTRUCTORS	-	-	11,000	8,406	8,800	8,800	7,450
11-613-2024	CONTRACT SERVICES	-	-	2,025	2,000	4,375	1,625	1,625
11-613-2025	CAMP/PROGRAM ACTIVITIES	-	-	2,300	1,050	7,800	7,800	4,900
11-613-2026	RENTALS	-	-	1,000	-	2,000	2,000	-
11-613-2027	GROCERIES/FOD CATERING	-	-	760	1,074	3,105	3,105	1,850
11-613-2028	SPECIAL EVENTS	-	-	4,150	3,700	4,050	4,050	3,550
11-613-2029	PUBLIC PERFORMANCES	-	-	1,650	1,650	1,650	1,650	-
	VISITOR'S CENTER	-	-	-	-	720	720	720
11-613-2120	UNIFORMS	270	966	1,095	1,292	1,507	1,507	1,239
11-613-2500	SUPPLIES-GAS/OIL	1,984	1,246	2,160	1,333	2,460	2,460	2,020
11-613-3100	TRAVEL/CONFERENCE/TRAINING	2,694	2,263	1,350	879	4,237	4,237	1,915
11-613-3150	TRANSPORTATION EXPENSE	-	625	1,150	1,505	1,150	1,150	1,150
11-613-3210	TELEPHONE	1,000	1,504	1,320	-	1,320	1,320	1,320
11-613-3315	TIME WARNER	-	-	-	1,173	-	-	-
11-613-3520	R/M EQUIPMENT	694	2,192	3,760	8,827	1,450	1,450	1,800
11-613-3521	R/M-SPLASH PAD	-	3,448	7,995	7,995	6,713	6,713	6,262
	PLAYGROUND EQUIPMENT	-	-	-	-	10,500	10,500	5,000
11-613-3530	R/M VEHICLES	788	546	1,250	1,109	1,250	1,250	750
11-613-3540	MAINTENANCE - GROUNDS	10,720	26,496	9,244	10,536	10,845	10,845	10,335
11-613-3910	ADS/NOTICES	458	150	1,341	1,340	4,141	2,641	1,925
11-613-4910	DUES-SUBSCRIPTIONS	592	2,074	885	1,894	1,876	1,876	1,870
11-613-5000	CAPITAL OUTLAY	7,108	-	-	-	-	-	-
11-613-5001	NON-CAPITALIZED OUTLAY	2,943	7,317	1,200	2,989	3,300	3,300	1,300
	CAPITAL RESERVE	-	-	-	-	-	-	-
DEPARTMENT TOTAL		\$ 250,184	\$ 251,543	\$ 291,304	\$ 264,621	\$ 331,812	\$ 327,562	303,470
Parks & Recreation Director								
Maintenance Tech								
Program Supervisor								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

CHURCH STREET TOWN DOCK								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
LINE ITEM	DESCRIPTION							
11-615-1210	SALARIES FULL TIME	-	-	-	-	38,500	-	-
11-615-1231	LONGEVITY	-	-	-	-	150	-	-
11-615-1232	CELL PHONE STIPEND	-	-	-	-	600	-	-
11-615-1810	FICA	-	-	-	-	3,003	-	-
11-615-1820	RETIREMENT	-	-	-	-	5,556	-	-
11-615-1830	INSURANCE-GROUP	-	-	-	-	8,362	-	-
11-615-1815	FEES-OTHER	1,000	1,000	1,500	1,000	1,500	1,500	1,500
11-615-1930	SERVICES - PROFESSIONAL	-	-	-	-	-	-	-
11-615-2010	SUPPLIES - DEPARTMENT	227	532	1,000	370	1,000	1,000	1,000
11-615-3210	TELEPHONE/INTERNET	-	-	-	474	540	540	540
11-615-3311	WATER/SEWER	508	584	660	493	660	660	660
11-615-3312	ELECTRICITY	1,338	1,249	1,500	1,266	1,500	1,500	1,500
11-615-3315	TIME WARNER	1,260	1,166	1,428	1,428	1,428	1,428	1,428
11-615-3540	REPAIRS/MAINT-BUILDINGS/GROUNDS	2,955	44	1,842	3,122	6,720	6,720	6,720
11-615-5001	NON-CAPITALIZED OUTLAY	-	-	300	-	360	360	360
DEPARTMENT TOTAL		7,288	4,574	8,230	8,153	69,878	13,708	13,708
Dock Master								

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

EMERGENCY MANAGEMENT								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-620-1220	Salaries-Overtime	-	15,709	-	-	-	-	-
11-620-1930	Services-Professional	-	10,600	26,125	26,125	-	-	-
11-620-1990	Services-Other	1,125	1,402	-	3,097	1,125	1,125	1,125
11-620-2010	Supplies-Department	-	2,697	15,000	7,276	-	-	-
11-620-2500	Supplies-Gas/Oil	-	967	-	-	-	-	-
11-620-3125	Subsistence	-	-	-	-	-	-	-
11-620-3520	Repairs/Maint-Equipment	-	112	-	-	-	-	-
11-620-3530	Repairs/Maint-Vehicles	-	1,099	-	-	-	-	-
11-620-3540	Repairs/Maint-Building/Grounds	-	124	-	-	-	-	-
11-620-3542	Repairs/Maint-Town Hall	-	39,483	-	-	-	-	-
11-620-3543	Repairs/Maint-Visitor Center	-	90,360	-	-	-	-	-
11-620-3544	Repairs/Maint-Cigar Shop	-	-	-	-	-	-	-
11-620-3545	Repairs/Maint-Old Town Hall	-	66,642	-	-	-	-	-
11-620-3546	Repairs/maint-PSB	-	273	-	-	-	-	-
11-620-3547	Repairs/Maint-Public Works Office	-	6,430	-	-	-	-	-
11-620-3549	R/M-Parks & Docks	-	97,143	30,000	32,156	-	-	-
11-620-3700	Tipping Fees-Refuse	-	-	-	-	-	-	-
11-620-3710	Tipping Fees-Yard Waste	-	1,300	-	-	-	-	-
11-620-5001	Non-capitalized Outlay	-	-	98,087	98,087	-	-	-
DEPARTMENT TOTAL		\$ 1,125	\$ 334,342	\$ 169,212	\$ 166,740	\$ 1,125	\$ 1,125	\$ 1,125

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

FESTIVALS & EVENTS								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
		ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
LINE ITEM	DESCRIPTION							
11-621-1220	SALARIES-OVERTIME	6,830	2,019	16,500	2,500	22,000	22,000	22,000
11-621-1230	SALARIES-PARTIME	-	-	3,000	1,864	-	-	-
11-621-1820	RETIREMENT-General -14.43%	-	-	-	-	3,175	3,175	1,499
11-621-1810	FICA	522	733	1,491	334	1,645	1,645	1,645
11-621-1820	RETIREMENT-LEO-17.04%	-	-	2,965	-	3,762	3,762	2,015
11-621-2010	SUPPLIES-DEPARTMENT	168	-	2,225	-	1,790	1,790	1,790
11-621-2016	PARADE EXPENSES	643	-	1,000	940	1,000	1,000	1,000
11-621-2017	MULLET FESTIVAL EXPENSES	40,871	56,558	51,395	2,034	50,640	50,640	50,640
11-621-2018	JULY 4TH EXPENSES	12,259	9,149	-	-	19,455	19,455	19,455
11-621-2019	FLOTILLA EXPENSES	3,576	3,881	5,685	-	5,220	5,220	5,220
11-621-2022	ARTS BY THE SEA	2,400	-	6,210	200	3,850	3,850	3,850
11-621-3310	UTILITIES	248	1,083	400	755	400	400	400
11-621-3910	ADS & NOTICES	-	-	-	1,224	2,270	2,270	5,270
11-621-4910	DUES/SUBSCRIPTIONS	521	419	3,000	1,404	880	880	3,020
11-621-6900	CONTRIBUTION-AGENCIES	6,500	-	1,580	-	-	-	-
DEPARTMENT TOTAL		\$ 74,537	\$ 73,841	\$ 95,451	\$ 11,255	\$ 116,087	\$ 116,087	117,804
General	10175	\$ 1,498.78						
Police/Fire	11825	\$ 2,014.98						
		\$ 2,965.71						

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

NON-DEPARTMENTAL								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
11-900-1815	FEES-OTHER	-	-	-	844	-	-	-
11-900-1850	EMPLOYEE RELATIONS	3,841	3,585	4,500	4500	4,500	4,500	4,500
11-900-1950	SERVICES-SOFTWARE SUPPORT	-	-	-	-	38,392	38,392	38,392
11-900-1960	SERVICES-I.T MAINTENANCE	42,109	44,938	65,000	65000	64,895	64,895	64,895
11-900-2010	SUPPLIES-DEPARTMENT	-	-	-	92	-	-	-
11-900-2850	UNEMPLOYMENT INSURANCE	582	\$ 341	\$ 1,000	2729	1,200	1,200	1,200
11-900-2990	MEDCOST-(HRA)	2,600	1,549	8,420	3387	9,262	9,262	9,262
11-900-3210	TELEPHONE (TOWN HALL)	2,645	2,809	3,500	2357	3,500	3,500	3,500
11-900-3250	POSTAGE	1,308	2,166	3,000	942	3,000	3,000	3,000
11-900-3520	R/M EQUIPMENT	1,243	1,243	2,000	1243	2,000	2,000	2,000
11-900-3600	I.T.-UTILITY EXPENSE	6,779	6,779	7,000	6480	7,056	7,056	7,056
11-900-4540	INS-LIABILITY/PROPERTY	83,964	85,853	90,300	90689	94,815	94,815	94,815
11-900-4560	INSURANCE-WORKMAN'S COMP	45,973	\$ 38,165	\$ 44,100	39956	46,305	46,305	46,305
11-900-6000	TRANSFER TO OTHER FUNDS-STORMWATER FUND	8,500	-	-	-	-	-	-
11-900-7900	LEASE PYMT/ - COPIER/LOAN REPAYMENT-VEHICLES/SOFTWARE	12,639	11,162	14,200	10586	14,200	14,200	42,471
11-900-9903	TRANSFER-WATERFRONT IMPLEM	10,000	-	-	-	-	-	-
11-900-9905	TRANSFER-MUNICIPAL COMPLEX	-	50,000	-	-	-	-	-
11-900-9930	TRANSFER-SWANSBORO TDA	98,176	66,818	35,000	50000	48,500	48,500	48,500
11-900-9950	TRANSFER-CAPITAL RESERVE	54,500	8,927	204,675	204675	-	-	-
11-900-9951	TRANSFER-PARK CAP RESERVE	-	-	-	-	-	-	-
11-900-9952	TRANSFER TO OTHER FUNDS	-	163,802	27,511	27511	-	-	-
DEPARTMENT TOTAL		\$ 374,860	\$ 488,137	\$ 510,206	\$ 510,993	\$ 337,625	\$ 337,625	\$ 365,896
	Vehicle & Software Debt Service \$28,271							

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

ENTERPRISE FUND-STORM WATER								
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING
30-820-1210	SALARIES-FULL TIME	33,915	41,298	43,473	\$ 44,002	47,429	47,429	46,295
30-820-1220	SALARIES-OVERTIME	288	-	-	\$ -	-	-	-
30-820-1230	SALARIES-PART TIME	2,130	-	-	\$ -	-	-	-
30-820-1230	LONGEVITY	175	230	258	\$ 258	258	258	258
30-820-1232	CELL PHONE STIPEND	25	355	325	\$ 325	650	650	360
30-820-1810	FICA	2,635	3,144	3,280	\$ 3,347	3,698	3,698	3,589
30-820-1820	RETIREMENT	2,946	4,083	4,775	\$ 4,775	6,844	6,844	6,680
30-820-1830	INSURANCE-GROUP	6,694	8,330	9,123	\$ 9,014	10,144	10,144	9,225
30-820-1930	FEES-PROFESSIONAL	2,914	-	-	\$ 2,110	-	-	-
30-820-2010	SUPPLIES-DEPARTMENT	1,372	1,579	2,500	\$ 750	2,500	2,500	2,500
30-820-2120	UNIFORMS	471	342	336	\$ 324	350	350	350
30-820-2500	SUPPLIES-GAS/OIL	3,349	3,109	4,000	\$ 4,000	4,000	4,000	4,000
30-820-3250	POSTAGE	2,500	1,200	3,500	\$ 1,132	3,500	3,500	3,500
30-820-3520	R/M EQUIPMENT	626	1,116	2,350	\$ 1,295	4,000	4,000	4,000
30-820-3530	R/M VEHICLES	349	1,992	10,287	\$ 10,287	3,000	3,000	3,000
30-820-3540	R/M BUILDING/GROUNDS	665	1,661	-	\$ -	-	-	-
30-820-3541	R/M STREETS	-	-	-	\$ -	5,000	5,000	5,000
30-820-3560	R/M STORM DRAINAGE	1,004	19,352	11,000	\$ 19,805	30,000	30,000	30,000
30-820-3710	TIPPING FEES-YARD WASTE	2,466	3,250	5,700	\$ 5,700	8,378	8,378	8,378
30-820-4100	DEPRECIATION EXPENSE	-	-	5,500	\$ 5,500	6,500	6,500	10,000
30-820-5000	CAPITAL OUTLAY	27,422	-	12,250	\$ 6,032	-	-	-
30-820-5001	NON-CAPITALIZED OUTLAY	11,200	4,518	9,003	\$ 5,605	1,200	1,200	11,292
30-820-7900	LOAN REPAYMENTS	9,508	10,719	10,576	\$ 10,576	12,000	12,000	12,000
	DEPARTMENT TOTAL	\$ 112,656	\$ 106,280	\$ 138,236	\$ 134,838	\$ 149,451	\$ 149,451	\$ 160,427
	Public Works Director-10%							
	Crew Leader 100%							
	Public Works Equipment Debt Service/Lease-\$10,576							

TOWN OF SWANSBORO
EXPENDITURES FY 2021-2022

ENTERPRISE FUND-SOLID WASTE									
		FY 2018-19	FY 2019-20	FY 2020-21	FY 2020-21	FY 2021-22	FY 2021-22	FY 2021-22	
LINE ITEM	DESCRIPTION	ACTUAL	ACTUAL	BUDGETED	PROJECTED	DEPT. REQUEST	MGR. RECOMMENDATION	5/13/2021 WORKSHOP MEETING	
31-820-1210	SALARIES - FULL TIME	26,799	40,250	42,379	42870	46,212	46,212	45,870	
31-820-1220	SALARIES -OVERTIME	147	-	-	-	-	-	-	
31-820-1230	SALARIES-PART TIME	2,130	-	-	-	-	-	-	
31-820-1231	LONGEVITY	150	205	208	349	208	208	208	
31-820-1232	CELL PHONE STIPEND	25	355	360	360	650	650	360	
31-820-1810	FICA	2,618	3,065	3,198	3261	3,601	3,601	3,552	
31-820-1820	RETIREMENT	2,105	3,644	4,990	4779	6,668	6,668	6,619	
31-820-1830	INSURANCE - GROUP	1,961	921	1,415	1208	10,138	10,138	9,220	
31-820-1951	SERVICES-REFUSE	125,408	122,125	135,863	134414	135,000	135,000	137,281	
31-820-1952	SERVICES-RECYCLING	58,507	65,791	44,595	57142	75,000	75,000	76,200	
31-820-1953	SERVICES-YARD WASTE	930	3,099	3,000	1365	5,200	5,200	5,283	
31-820-1990	SERVICES-OTHER	85	-	-	0	-	-	-	
31-820-2010	SUPPLIES-DEPARTMENTAL	484	34	2,000	815	-	-	-	
31-820-2120	UNIFORMS	182	335	520	324	520	520	520	
31-820-2500	SUPPLIES - GAS/OIL	2,985	3,351	4,269	3000	4,500	4,500	4,500	
31-820-3520	R/M EQUIPMENT	54	-	3,500	1200	4,000	4,000	4,000	
31-820-3530	R/M VEHICLES	767	1,087	2,500	1200	3,500	3,500	3,500	
31-820-3700	TIPPING FEES-REFUSE	71,314	64,353	74,447	61821	65,000	65,000	66,040	
31-820-3710	TIPPING FEES-YARD WASTE	1,500	3,478	5,200	7500	5,500	5,500	5,588	
31-820-3710	DEPRECIATION EXPENSE	-	-	5,094	22500	22,500	22,500	22,500	
31-820-5000	CAPITAL OUTLAY	-	154,724	12,250	6032	-	-	-	
31-820-5001	NON-CAPITALIZED OUTLAY	5,318	1,850	3,500	0	2,973	2,973	12,725	
31-820-7900	LOAN REPAYMENTS	9,508	10,719	43,169	43169	44,355	44,355	44,355	
DEPARTMENT TOTAL		\$ 312,977	\$ 479,387	\$ 392,457	\$ 393,309	\$ 435,525	\$ 435,525	\$ 448,321	
Pubile Works Director-10%									
Crew Leader 100%									
Public Works Equipment Debt Service/Lease-\$10,576									
Grapple Truck-\$32,593									



Board of Commissioners Meeting Agenda Item Submittal

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

Board Meeting Date: **May 24, 2021**

Prepared By: **Paula Webb – Assistant Manager/Town Clerk**

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 14, 2021

- * Public Hearing – Text Amendment/Land Clearing
- * Police Department Recognitions
- * Board Appointments – Board of Adjustment

Proposed for June 28, 2021

- * Public Hearing/Adoption - FY 21/22 Budget Message/Budget

Future Agenda Items

- * Public Hearing – Text Amendments/Sign Amortization *deferred by BOC 12/14/20*
- * Public Hearing – Text Amendments/Temporary Signs *deferred by BOC 12/14/20*
- * Public Hearing – Text Amendments/Food Truck Vendors *deferred by BOC 12/14/20*
- * Further LUP Review/Amendments
- * Stormwater Discussion and Annual Report (*Report placed on Town Website September 2020*)
- * Comprehensive Transportation Plan Revisions
- * Gateway Plan Discussion/Town Limits Beautification
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Text Amendments – Remove Cell Towers as use in B2HDO and other zones if permissible
- * Downtown Traffic Movement Decision – *February 22, 2021 and future*
- * Sub-committee designations for Strategic Plan Implementation (*Eco Dev Committee est. Oct 2020*)
- * SHS Recognitions – *wait for in-person meetings to return per Mayor*

MANAGER'S REPORT

Period: April 16, 2021 – May 15, 2021 **Submitted By:** Chris Seaberg, Town Manager

1. Town Projects/Initiatives Update

Updates on Town Projects/Initiatives. Items will be removed after noting their completion.

- **July 4th Celebratory events:**

- Staff has notified the NC Dept of Administration that we will need to use their island for the fireworks display for July 2nd. Previous approval was given, we are just waiting for it to be certified.
- Public Works Staff will be meeting the contractor on the island soon to ensure proper maintenance at the launching site has been done
- Delivery of all materials for this event has been secured through Lady Swan (as with previous events)
- Arrangements for the TAMS for their July 4th concert are close to completion

- **Downtown Traffic and Parking Plan implementation:** Our contractor (The Timmons Group) is incorporating the suggestive changes offered by NCDOT to finalize the Plans. Once they are finalized, Public Works staff will start scheduling the repainting of parking spaces, sign installations, and crosswalk designations/painting.

With regards to the crosswalk designation/painting, there were some discussions on designating them through stamping patterns (i.e. brick work). Staff can certainly work to include that at the Board's instruction, but timing is a concern.

- **NC DCM Resilient Coastal Communities Program (RCCP) Grant** – On March 17, 2021, the North Carolina Department of Environmental Quality's Division of Coastal Management awarded their first round of RCCP Grant funding. The Town of Swansboro was competitive enough to receive one of the grants. The intent of the grant is to fund efforts in four key phases in their Coastal Communities Resiliency Program:

1. Community Engagement and Risk & Vulnerability Assessment
2. Planning, Project Selection and Prioritization
3. Project Engineering and Design
4. Project Implementation

Through our efforts in the 2019 CAMA Land Use Plan update, Swansboro has effectively covered most of the parameters for phases 1 and 2. This grant will assist in finishing the remaining requirements under phases 1 & 2 so we may move forward

Town of Swansboro, NC Manager's Report (April 16, 2021 – May 15, 2021)

with the final 2 phases. Applications for Phases 3 & 4 is expected to be due by the end of this calendar year.

Part of this process requires the Town to appoint a Community Action Team. The only recommendation for this group is that we have at least 5 participants. My recommendation would include the following members:

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

This group will work with our appointed consultant, Dewberry, to continue our efforts.

- **Continued work with Carolina Wetland Association** – With assistance from Carolina Wetland Association, the Town will be applying for a grant through the NC Resilient Coastal Communities Program to help the Town better address their concerns regarding the remaining wetlands within our corporate limits and the extraterritorial jurisdiction. The Planning Board will start their work on providing supporting functions either through regulatory changes or incentive options starting their March 2, 2021 meeting. The Board plans on meeting twice a month to finish out this project.
- **Wayfinding Signs** – The signs are in production for this project. The decorative posts for the signs have been order. Once received, Public Works staff will work to get them installed.
- **August 2020 - NC State Historic Preservation Office Florence and Michael ESHPF Hurricane Disaster Relief Grant – Emmerton School:** The Town submitted an Emergency Supplemental Historic Preservation Fund (ESHPF) Hurricane Disaster Relief application for Emmerton School (AKA Old Town Hall) located at 502 Church Street for remaining Hurricane Florence damage repairs and resiliency measures for future events. The grant request is in the amount of **\$424,000** and is established as a 100% reimbursable grant.

If fully funded, we will use the funds for the following projects:

1. Tuck Pointing of the interior and exterior bricks to help stop the water penetration that occurs. This would also include the application of a sealant to the exterior brick.
2. Repair the extensive damage of the crumbling brick work above the south front door and other interior walls.
3. Historic Ceiling repair and repainting – Even though there is a new roof on the facility, some moisture did seep in sometime after the temporary fixes were installed.

Town of Swansboro, NC
Manager's Report (April 16, 2021 – May 15, 2021)

4. The installation of a Centralized Dehumidification System
5. Window and Door repairs/replacing/storm proofing – there are a total of 81 windows and doors that are included in this request.
6. Electrical wiring repairs
7. Soffit repairs from Hurricane Florence damages
8. Sealing the crawl space
9. Attic Insulation

The application was written in a way that the reviewer(s) could approve all or portions of the improvements requested.

The North Carolina Historical Commission held a Special Meeting on September 23, 2020 at 10 am to consider staff findings and recommendations for this grant. Our application for Emmerton School was among the project recommended for 100% funding (\$424,000). Their recommendation must still be reviewed by the Federal Government before entering into the necessary agreements to commence the work.

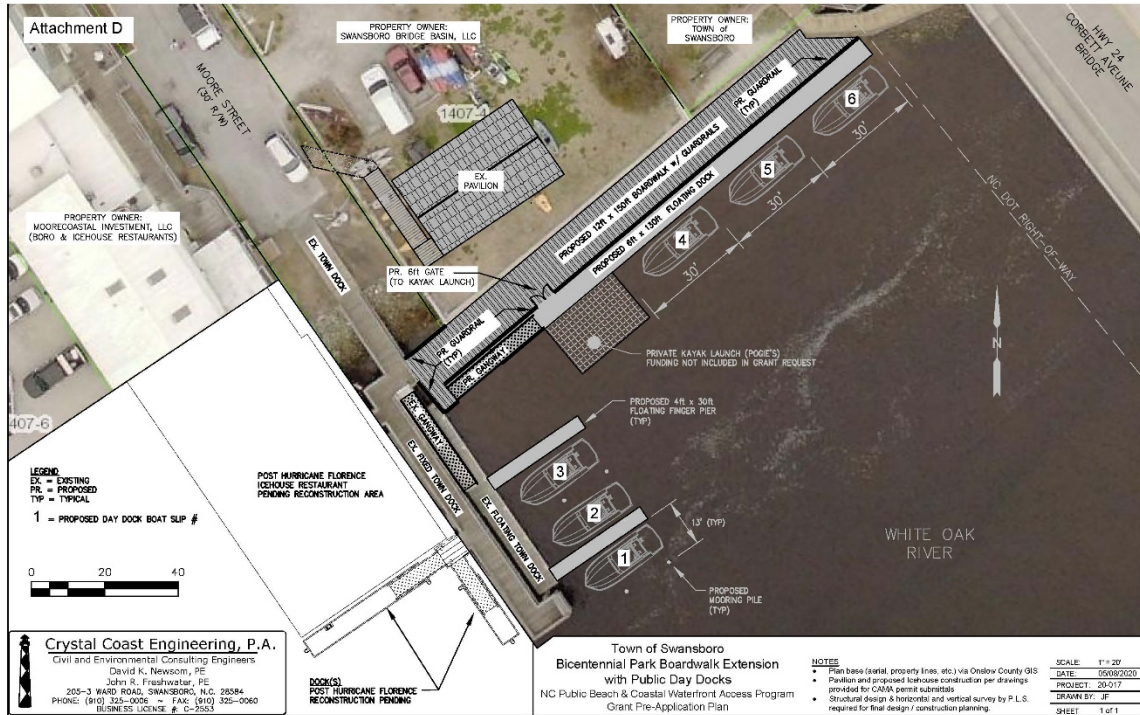
- **2020 NC Public Beach and Coastal Waterfront Access Grant Project** – The Town received notification on November 3, 2020 that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project has been approved and granted the full amount requested of \$142,350. The Total project cost is \$158,350 with the grant. \$7,000 of the required \$16,000 town match will be non-cash/in-kind.

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.
3. There will be four boat slips to accommodate day visitors in small boats
4. The existing, privately owned, kayak launch will remain. The owner of the launch currently allows public use with prior approval and plans to continue this service after the project is installed.

Town of Swansboro, NC

Manager's Report (April 16, 2021 – May 15, 2021)



- FY 2020 Stormwater Outfall Retrofit Project – Walnut Street** – Through our continued partnership with the NC Coastal Federation, we were able to secure a stormwater retrofit project funded through the Section 319 NPS Pollution Control Grant administered through the NC Department of Environmental Quality. The grant amount is \$69,155 and will fund the retrofit the direct stormwater discharge pipe at the end of Walnut Street. The following slides show the location of the approximately 9.3 acres of area this facility will treat along with a project description and anticipated results. This project is anticipated to begin on or around Mid-March 2021 and last to December 31, 2022.

**Town of Swansboro, NC
Manager's Report (April 16, 2021 – May 15, 2021)**

Project Location



Project Description

Install a series of infiltration chambers within a gravel trench just upstream of the discharge pipe for the nine-acre Ward Creek residential watershed.

Intercept, slow down and infiltrate stormwater runoff discharging from pipe.

Base project design on successful Wrightsville Beach Lula St. project that reduced SW volume over 93% .



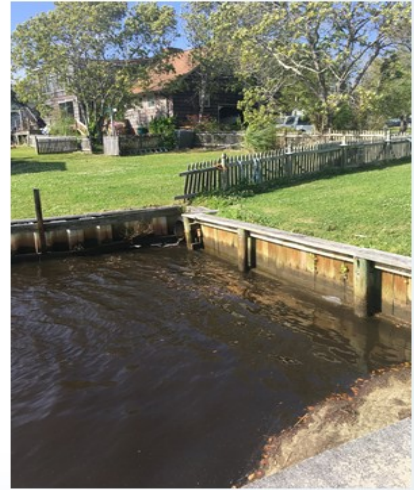
Town of Swansboro, NC
Manager's Report (April 16, 2021 – May 15, 2021)

Project Results

Reduce the volume (thereby reduce pollutant load) of discharge from Walnut St. stormwater outfall to Ward Creek Watershed and surrounding waters by 4,800 cf (35,900 gallons) via infiltrating at least the 1.5" storm event.

In addition reduce sediment by 1,250 lbs/year (EPA STEPL tool). Bacteria is bound to sediment. Tool estimates capture almost 2 million gallons of runoff per year.

Community and additional audiences educated about stormwater and strategies for volume reduction.



- **Sidewalk Projects** - At their December 5, 2019 meeting, the NC Board of Transportation approved a funding request from NCDOT Division 3 in the amount of \$366,668.00. Per amended Swansboro Resolution 2019-R9, the Town contributed \$116,634 for a total project funding of \$483,302. The project was split into 3 phases/priorities to focus the limited funding to the portions that ranked higher in need.

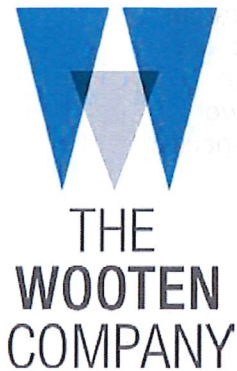
Construction of this project commenced Thursday, April 8, 2021. NCDOT has estimated project funding shortfall in the amount of \$97,000 due to limitations caused by ditching and utilities. The cost breakdown for each phase/priority is as follows (estimates as of April 16, 2021).

- o Priority 1 - Sidewalk installation along NC-24 (Corbett Ave) from SR 1511 (Hammocks Beach Rd) to SR 1514 (Phillips Loop Rd); \$120,000
- o Priority 2 - Old Hammocks Beach Rd from SR 1513 (Deer island Rd) to existing sidewalk near Fredericks Ln; \$335,000
- o Priority 3 - SR 1511 (Hammocks Beach Rd) from Moore's BBQ sidewalk to Park Place Dr \$125,000 - *NOTE: we have not prepared survey/design on this section yet, so costs may vary more related to this priority*

Town of Swansboro, NC
Manager's Report (April 16, 2021 – May 15, 2021)

Most of Priority 1 has been complete. There is some ditch work that must be completed by NCDOT maintenance staff versus their sidewalk contractor. With that said, they will be delaying future work until July 2021.

- **Traffic Light Synchronization Project** - Town Staff has been working with Nisarg Shah of NCDOT to get a better synchronization of the stoplights on NC Hwy 24/W. Corbett Avenue. He made some adjustments on Wednesday, February 3, 2021 but I imagine it may take a couple of adjustments to correct the issues.
- **Swansboro ADA Plan** – Assessments of Town facilities have been completed. We anticipate a Public Hearing early in 2021 in hopes to officially adopt this plan once complete.



May 19, 2021

Mr. Christopher D. Seaberg
Town Manager
601 W Corbett Avenue
Swansboro NC 28584

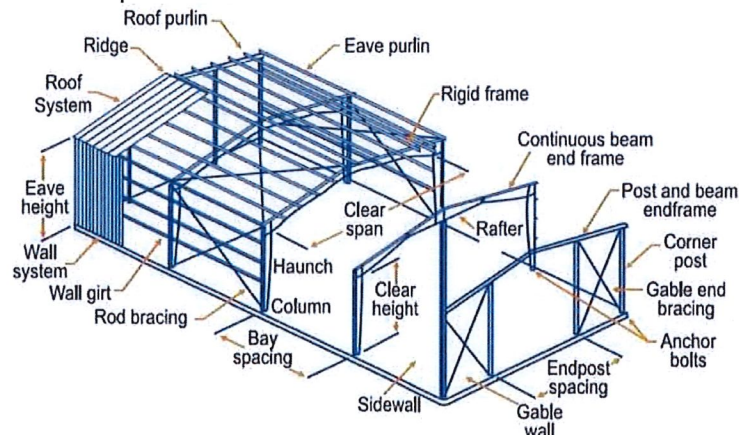
**Re: Public Safety Building Restoration/Relocation
Planning Status Memo**

Dear Chris:

We had expected that by Wednesday 4/28/21 we would have a structural report with results regarding the load carrying capacities of the critical (measured) members.

Most of the structural elements have been calculated regarding their ability to counter the forces required by the current Building Code as the Town has requested. The Main Frames are taking a little longer because of their specialized shape. Below are our findings. Note that remedy approaches will be discussed within the full report.

Element	Finding
Footings:.....	assumed to be insufficient
Anchor Bolts attaching Main Frames to Footings:.....	sufficient
Main Frames:.....	still in analysis
Gable end wall framing:	insufficient
Girt, secondary framing supporting wall panels:.....	insufficient
Purlins, secondary framing supporting roof panels:	insufficient
Bracing of the above secondary framing:.....	insufficient
Cross bracing in walls:.....	insufficient
Cross bracing in roof:.....	insufficient
Metal wall panels:	sufficient
Metal roof panels:	sufficient



120 North Boylan Avenue
Raleigh, NC 27603-1423

919.828.0531
Fax 919.834.3589

www.thewootencompany.com

Mr. Christopher D. Seaberg
Town of Swansboro

May 19, 2021
Page 2

We have tabulated the current and projected staffing through the year 2030 and 2050 target dates. We analyzed staffing and associated that with the office or space required. We have included spaces which are not associated with a given employee but are needed for the functioning of the department...like Radio Room or the Decontamination area. Lastly, we covered spaces that are needed in the building for general functionality not related to specific operations. These areas might include a Foyer, or a Public Restroom. Attached are the Square Footage Tables Which we have Calculated.

If any questions come up, please do not hesitate to reach out.

Sincerely,

THE WOOTEN COMPANY



Russell D. Pearlman, AIA
Project Architect

rdp

Swansboro Public Safety
Fire Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Fire Staff Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
1	Fire Chief	Tessing, Mark	Chief's Office	Captains		154	150	150
2	Fire Captain	Taverine, Kevin	Squad Room/ Captain's Office-A	Squad Room	Acting Inspector	298	120	120
3	Fire Captain	Earles, Bettie Ashleigh	Squad Room/ Captain's Office-B	Squad Room	Shared in area noted.	(Area #2)	120	120
4	Fire Captain	Hannon, Robert J.	Squad Room/ Captain's Office-C	Squad Room	Fire Prevention. Shared in area noted.	(Area #2)	120	120
5	Fire Department Assistant- PT	Tessing, Linda	FD Assistant's Office	Foyer/Air Lock		116	100	100
6	Fire Engineer - PT	Degnan, David	Squad Room	Break	(8) Workstations	(Area #2)	400	500
7	Fire Engineer - PT	Stanley, Jr., William	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
8	Fire Engineer - PT	-	Squad Room	Break	Shared in area noted.	-	(Area #6)	(Area #6)
9	Fire Driver/Oper - FT	Roberts, Jr., Roberts R.	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
10	Fire Driver/Oper - FT	Forty, Raysiel	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
11	Fire Driver/Oper - PT	Cecil, Matt	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
12	Fire Driver/Oper - PT	Matthias, Travis	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
13	Fire Driver/Oper - PT	Odham, Gary	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)

Swansboro Public Safety
Fire Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
14	Fire Driver/Oper - PT	Polk, Ethan	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
15	Fire Driver/Oper - PT	West, Joseph	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
16	Fire Driver/Oper - PT	-	Squad Room	Break	Shared in area noted.	-	-	(Area #6)
17	Fire Driver/Oper - PT	-	Squad Room	Break	Shared in area noted.	-	-	(Area #6)
18	Firefighter - PT	Bellamy, Chase	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
19	Firefighter - PT	Jones, Corey	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
20	Firefighter - PT	Manley, Darrell	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
21	Firefighter - PT	Mathis, Pat	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
22	Firefighter - PT	Pimenta, David	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
23	Firefighter - PT	Watson, Christopher	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
24	Firefighter - PT	Webster, Clayton A.	Squad Room	Break	Shared in area noted.	(Area #2)	(Area #6)	(Area #6)
25	Assistant Chief	Kevin MacEnroy	Squad Room	Break	PT Volunteer currently. Shared in area noted.	(Area #5)	120	120
26	Inspector	-	Squad Room	Break	Shared in area noted.	-	(Area #6)	(Area #6)
27	Fire Prevention	-	Captain's Office-D	Squad Room		-	-	120

Swansboro Public Safety
Fire Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Fire
Function
Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
28	-	-	Truck Bays	Exterior	(+) 1 Bay in future.	4400	5500	5500
29	-	-	Oxygen Tank Storage	Truck Bays	Currently stored on trailer in bay	-	100	100
30	-	-	Bunkroom-M	Squad Room	(4) Bunks	260	260	260
31	-	-	Bunkroom-W	Squad Room	(4) Bunks	260	260	260
32	-	-	Conference	Chief's Office		-	180	180
33	-	-	Copy/Reception	FD Assistant's Office		-	80	80
34	-	-	Kitchen	Squad Room	Commercial Grade Needed	235	350	350
35	-	-	Lounge	Squad Room		255	300	300
36	-	-	Radio Room	Truck Bays		50	80	80
37	-	-	Fitness Room	Truck Bays	Currently shared in area noted.	(Area #28)	200	200
38	-	-	Men's Staff WC	Squad Room		165	200	200
39	-	-	Women's Staff WC	Squad Room		165	200	200
40	-	-	Stg. Linen Closet	Bunkrooms		-	25	25
41	-	-	Stg. Miscellaneous	Squad Room		-	150	200
42	-	-	Supplies/Storage	Kitchen		50	100	100
43	-	-	Paramedic Storage	Truck Bays	EMS Med Supplies/ Refrig.	-	32	32

Swansboro Public Safety
Fire Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
44	-	-	Standard Laundry	Squad Room		-	80	80
45	-	-	Decon. Room	Truck Bays		-	80	80
46	-	-	Hose Drying	Truck Bays	30'-0" Ceiling	-	32	32

Facility
Function
Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
47	-	-	Foyer/Air Lock	Public WC's		180	200	200
48	-	-	Meeting/Training Room	Squad Room		1060	1200	1200
49	-	-	Generator	Exterior	On site	-	-	-
50	-	-	Server/Network/Surveillance	Office Supply	Main server located at Town Hall	80	80	80
51	-	-	Janitor/Cleaning Supplies	Kitchen	Currently shared in area noted.	(Area #34)	25	25
52	-	-	Office Supply	Paper Supply		-	80	80
53	-	-	Paper Supply	Office Supply		-	80	80
54	-	-	Mech/Elec	Exterior Wall		-	300	300
55	-	-	Men's Public WC	Foyer/Air Lock		-	100	100
56	-	-	Women's Public WC	Foyer/Air Lock		-	100	100

Swansboro Public Safety
Fire Department Square Footages

TWC No. 2760-AE



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

Space Needs	Current SF	2030 Need	2050 Need
Subtotal	7398	10579	10849
Ancillary	330	925	925
Total SF	7728	11504	11774
Occupied %	96%	92%	92%

Staff Qty.	Current	2030 Need	2050 Need
	22	24	27

Swansboro Public Safety
Police Department Square Footages

TWC No. 2760-AE



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

Police Staff Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
1	Police Chief	Jackson, Ken	Chief's Office	Lt.'s Office		210	150	150
2	Police Lieutenant	Taylor, Dwayne	Lt.'s Office	Squad Room	Acting Assistant Chief	122	150	150
3	Detective	Fickey, Anton	Detective's Office-A	Squad Room		175	120	120
4	Detective	Watts, Brenda	Detective's Office-B	Squad Room	Shared in area noted.	(Area #3)	120	120
5	Admin Rep	Stanley, Teresa	Reception	Foyer/Air Lock	Shared between Fire & Police	145	120	120
6	Police Sergeant	Kackiemier, Kyle	Squad Room	Break	(1) Sergeant Workstation/Files	245	500	600
7	Police Sergeant	McNeil, Jeremy J	Squad Room	Break	(1) Sergeant Workstation/Files. Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
8	Police Officer	Brim, Benjamin M.	Squad Room	Break	(6) Officer Workstations/Files. Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
9	Police Officer	McLean, John	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
10	Police Officer	Morin, Krystal	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
11	Police Officer	Tallman, Ryan	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
12	Police Officer	Wellmer, Kyle M.	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
13	Police Officer	-	Squad Room	Break	Shared in area noted.	-	(Area #6)	(Area #6)
14	Police Officer	-	Squad Room	Break	Shared in area noted.	-	(Area #6)	(Area #6)
15	Police Officer	-	Squad Room	Break	Shared in area noted.	-	-	(Area #6)
16	Police Officer	-	Squad Room	Break	Shared in area noted.	-	-	(Area #6)
17	Police Officer	-	Squad Room	Break	Shared in area noted.	-	-	(Area #6)

Swansboro Public Safety
Police Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
18	Reserve Officer (PT)	-	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
19	Reserve Officer (PT)	-	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
20	Reserve Officer (PT)	-	Squad Room	Break	Shared in area noted.	(Area #6)	(Area #6)	(Area #6)
21	Captain/Asst. Chief	-	Lt.'s Office	Squad Room	Lt. to be promoted; no new position	-	(Area #2)	(Area #2)
22	Detective	-	Detective's Office-C	Squad Room		-	-	120
23	Corporal	-	Squad Room	Break	(1) Corporal Workstation/Files. Shared in area noted.	-	(Area #6)	(Area #6)
24	Corporal	-	Squad Room	Break	(1) Corporal Workstation/Files. Shared in area noted.	-	(Area #6)	(Area #6)

Police Function Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
25	-	-	Incident Report	Lt.'s Office	Currently shared in area noted.	(Area #27)	100	100
26	-	-	File Room	Detectives		50	80	120
27	-	-	Interview Detainee	Detectives		68	100	100
28	-	-	Processing	Lt.'s Office	Intoxilizer at Sheriff's Office	80	160	160
29	Detainee	-	Detainees WC	Interview Detainee		-	50	50
30	-	-	Armory	Lt.'s Office	ammunition, weapons	104	120	120
31	-	-	Utility Equipment	Lt.'s Office	Currently shared in area noted. (uniform attire, duty gear, pepper spray, belts, batons, spare radios, crime scene processing, spare vehicle equipment)	(Area #30)	100	100
32	-	-	Evidence	Detectives	Provide pass through lockers for transferring evidence. Refrigeration.	148	150	150

Swansboro Public Safety
Police Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
33	-	-	Property Storage	Detectives	Currently shared in area noted.	(Area #32)	120	120
34	-	-	Sallyport	Interview or Detainee WC	Two vehicles and storage with trench drain.	-	1000	1000
35	-	-	Vehicle Examination/ Evidence Holding	Sallyport		-	720	720
36	-	-	Locker Room	Squad Room	Personal locker space, one per staff member	-	150	150
37	-	-	Men's Staff WC	Locker Room	Currently shared with Fire Dept.	165	165	165
38	-	-	Women's Staff WC	Locker Room	Currently shared with Fire Dept.	165	165	165
39	-	-	Shower Room-A	Locker Room	Currently shared in areas noted.	(Areas #36 & 37)	50	50
40	-	-	Shower Room-B	Locker Room	Currently shared in areas noted.	(Areas #36 & 37)	50	50
41	-	-	Shower Room-C	Locker Room	Currently shared in areas noted.	(Areas #36 & 37)	50	50
42	Staff (6-8)	-	Break	Squad Room	sink, microwave, refrigerator, oven, 4-top.	255	250	250

Facility Function Spaces

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
43	-	-	Foyer/Air Lock	Reception		180	200	200
44	-	-	Meeting/Training Room	Squad Room		1060	1200	1200
45	-	-	Generator	Outside	New generator needed. Located on site.	-	-	-

Swansboro Public Safety
Police Department Square Footages



THE WOOTEN COMPANY

120 North Boylan Avenue Raleigh, NC 27603-1423

TWC No. 2760-AE

Area #	Occupant Title	Occupant	Room Name	Near	Note	Current SF	2030 Need	2050 Need
46	-	-	Vehicle Charging	Outside	(4) charging stations on site	-	-	-
47	-	-	Server/Network/Surveillance	Office Supply	Main server located at Town Hall	80	80	80
48	-	-	Janitor	WC's/Break	Currently shared in room noted.	(Area #42)	25	25
49	-	-	Office Supply	Paper Supply		-	80	80
50	-	-	Paper Supply	Office Supply		-	80	80
51	-	-	Mech/Elec	Exterior Wall		-	300	300
52	-	-	Men's Public WC	Foyer/Air Lock		-	100	100
53	-	-	Women's Public WC	Foyer/Air Lock		-	100	100

Space Needs	Current SF	2030 Need	2050 Need
Subtotal	2922	6000	6260
Ancillary	330	905	905
Total SF	3252	6905	7165
Occupied %	90%	87%	86%

Staff Qty.	Current	2030 Need	2050 Need
	13	18	22



Department Reports for April 2021

Administrative Services

- Phone Records Report for April: 2,663 calls
Town Hall – 962 Parks and Recreation – 364
Police Department – 523 Fire Department – 92 Outgoing totals – 722
- Building permits sold for April: 97 residential/commercial combined; \$19,294.11 total fees collected (includes 12 re-inspections)
- 305 Building inspections processed/27 Fire Inspections processed
- 129 Various receipts processed
- 212 ONWASA payments processed; 14 other requests
- 13 Work Orders generated for Public Works
- 6 Notarization's performed
- Mailed 27 Renewal statements for Beer & Wine Privilege Licenses, 19 payments received
- Compiled and delivered budget books to Board of Commissioners
- 10+/- hours related to addressing IT and phone related technical issues
- Submitted RFP for Cleaning Services at Town Hall and the Recreation Center
- Admin Staff worked at Visitor's Center 3 days each week (Paula, Alissa, and Lisa)
- Reviewed Employee Benefits Handbook for 21/22 updates and Open Enrollment Meeting
- Wellness Checks held for Employees – April 21 (NCLM)
- Open Enrollment held for Employees – April 27 (Laymon Group and Supplemental Carriers)
- US Census Report Submitted - Permits
- Public Records Request – Accounts Payable
- Public Records Request – Maps Group Salary Data
- Continued FY 21/22 Budget Meetings
- Attended TDA Meeting April 8
- Attended MAC Meeting April 13
- Attended Chamber BOD Meeting April 14
- Attended Board of Adjustment Meeting April 15
- Wayfinding Signs Meeting to determine signposts quality/design meeting NCDOT specs
- Held Swearing in ceremony for 2 new police officers
- Prepared Special Use Permit for Blazin' Bird Restaurant for recording
- Finalized April Departments Report
- Developed monthly and special meeting notices/hearings, agenda items, packets, and minutes/distributed for meetings. A staff representative(s) attended each meeting and prepared meeting minutes/follow-up
- HR-related items estimated at 33.25 hours (includes new hire processing, interviews, timesheets, policy review, employment verifications, benefit submittals, preparation of job descriptions/submittals/postings, etc.)
- Town website updates continue (including Homepage articles/minutes/agendas/calendar, special events, projects, plans, etc.). Website Home Page defaults: 10,597. Top 5 pages viewed in April – Employment 820, Permitting 508, Parks/Rec 326, Contact Use 296, and Police 284



Department Reports for April 2021

Finance

- Sales & Use Tax received in April 2021: \$88,056
- Accounts Payable Summary for April 2021:
 - 255 Invoices-Totaling \$158,747
 - 21 Purchase Orders Issued
- PEV ChargePoint Station-Accumulated (kWh) for April 2021 (35.3)
- Processed payroll-4/9 & 4/23; updated employee accrual balances- (spreadsheet & Asyst)
- Stormwater Fees Collected-April 2021-\$3,324
- Updated Stormwater spreadsheet
- March 2021 Bank Reconciliation-Town accounts
- March 2021 Bank Reconciliation-Swansboro TDA
- Processed Swansboro TDA checks
- Prepared March 2021 monthly financial report
- COVID-19: Gathering receipts to upload to the FEMA Grants Portal
- FEMA-Attended the Recovery Transition meeting for Hurricane Florence & Hurricane Isaias
- Attended budget meeting with Town Manager and Assistant Manger
- Gathered financial information for the Budget Workshop held on 4/12/21
- Preparing Year End Projections FY 20/21/updating operating budget spreadsheet FY 21/22
- Updating Capital Improvement Plan (Word & Excel document)
- Public Records Request-Richard Clark-Swansboro TDA
- Submitted the following report:
 - Annual Financial Information Report (AFIR) Year ending June 30, 2020
 - Census 2021 Annual Survey of Public Employment & Payroll
- Submitted HUBSCO for quarter ending 3/30/21- (Historically Underutilized Businesses State Construction Office) Construction Reporting System
- Prepared the Agenda and quarterly financial report for TDA Quarterly Meeting
- Preparation of Budget and Budget Message for FY 21/22 for Swansboro TDA
- Submitted the proposed Budget for FY 21/22 to the Swansboro TDA members
- Swansboro TDA – Meeting was held on Thursday, April 8,2021. The next scheduled meeting will be held on Thursday, July 8, 2021 at 2:30pm in the Community Room

Fire Department

No report provided

Parks and Recreation

DIRECTOR'S REPORT

COVID-19

- Continue to monitor COVID impacts, staff enforcing safety protocols and policies
- Continue to monitor new guidelines set forth by the Governor and update policies and safety protocols accordingly
- Continue to adjust the number of participants per program and room capacity for reservations to align with current restrictions



Department Reports for April 2021

- Continue to communicate with staff throughout the month with updates, safety precautions, and staff schedules
- The Recreation Center, all park facilities, indoor and outdoor reservations remain open, and the Recreation Center continues to operate on reduced hours
- Attend Director's call with NCRPA weekly to receive updates and gain information from other departments about closing, programs, and special events due to COVID-19

Festivals/Events

July 4th

- Began contacting vendors to proceed with July 4th events halfway through the month.

Arts by the Sea

- Staff researching other art festivals to gather ideas the department could implement for Arts by the Sea
- Met with the Swansboro High School Principal and teaching staff to discuss performing and literary arts events as part of the virtual event. Teachers will provide videos of performing arts to be posted on the virtual event website

PirateFest

- Partnering with Onslow County Parks and Recreation to host PirateFest. This year's event will not be held downtown and have modified the event to follow current COVID guidelines
- This year's event will be a PirateFest Campout and will be held May 15-16 at Onslow Pines Park
- Onslow County and Swansboro Parks and Recreation Departments proudly present Pirate Fest Campout! Get ready to pitch your tent and camp with our Pirate Fest pirates as they bring coastal North Carolina's rich pirate history to life. Families are invited to camp out under the stars and enjoy an evening of nighttime fun. Watch as swashbucklers engage in sword fights, witness black powder weapons demonstrations, pirate re-enactments, treasure hunts, dinner, a movie under the stars, entertainment, campfire stories for the kids, breakfast and so much s'more!
- Attended an in-studio promotion of the event on 103.7 during the morning show 7-8 am.
- Bi-weekly meetings with Onslow County

Holly Lane/PARTF

- Revising community needs survey that is required for the PARTF application. Survey is intended to assess the community needs for recreational services and facilities in the Swansboro area
- Working with Barrs Recreation to design site plan and the company's playground grant program

Comprehensive Master Plan

- Received five proposals for the comprehensive master plan update ranging from \$30,000-\$76,000
- Proposals will be reviewed with administrative team



Department Reports for April 2021

- Met with two agencies; McAdams and McGill to discuss the RFP

Senior Games

- Serve as a Co-coordinator for the Onslow County Senior Games
- Attend monthly meetings to assist in the planning
- Attended opening ceremonies on April 10
- Facilitated senior games events throughout the month of April
- Swansboro Parks and Recreation host the Pickleball tournaments for the games on April 13
- Assist in collecting applications and completing registrations

Miscellaneous

- Dock reservations, park and room rentals have increased significantly during the month of April
- Summer Day Camp registrations opened and most weeks are full. Anticipate the remaining spots to sell out
- Conducted interviews for the 2021 State Employees Credit Union Fellowship Internship Program. The department was paired with one of its top candidates for the program. Intern anticipated start date is May 17, 2021
- Met with Swansboro Soccer Association to negotiate contract for renting the fields at Municipal Park. Began drafting contract to discuss with Town Manager
- Conducted quarterly staff meeting to review new COVID guidelines, department policies, and reservation procedures
- Conducted interviews for Special Event Attendant position
- Continue to make revisions on the 2021-22 budget for the department
- Attended a monthly networking meeting for women in recreation
- Serve on the Jacksonville Onslow Sports Commission board as a liaison. Attend monthly meetings, update the board on the department's programs, events, and festivals
- Continue to manage and monitor budget and funds
- Attend Board of Commissioner meetings via Zoom
- Conduct Parks Advisory Board meetings via Zoom

Metrics

- Facebook management continues – 12,488 followers
 - Post Reach 23,621, up 103%
 - Page Likes, 84, up 17%
 - Post Engagement, 3,354 up 139%



Department Reports for April 2021

- Activity Report for April

Organization Activity						
From 4/3/2021 to 5/3/2021						
	Registrations	Reservations	Memberships	Check-Ins	Profiles Created	POS Transactions
All	179	59	6	0	164	0
Resident	43	8	0	0	18	
Non-Resident	136	50	6	0	146	
No Residency Set	0	0	0	0	0	
Demographics						
< 18	112	3	0	0	55	
18 - 65	55	39	3	0	85	
65+	12	16	3	0	24	
Male	110	30	5	0	87	
Female	69	28	1	0	77	
Other Genders	0	0	0	0	0	
Online vs In-House						
Online	118	0	0	N/A	96	
In-Person	61	58	6	N/A	68	

April Revenue

- Slip Fee - Town Dock \$2666.00
- Rental Fees-Parks \$330.00
- Rec Center Rentals \$1635.00
- Dog Park Registrations \$40
- Rec Program Fees \$1436.00
- Gym Memberships \$225.00
- Summer Day Camp Registration \$15,687

RECREATION PROGRAM SUPERVISOR REPORT

Routine monthly job responsibilities:

- Payments/Refunds for programs and special events
- Emailed monthly distribution list the upcoming programs/events for the department
- Dock slip reservations/Pump Outs
- Compiled Daily deposits
- Advertised/promoted all programs/special events on social media platforms: Facebook, Instagram, JD News
- Created program proposals for new programs to be approved by Director
- Created all programs in RecDesk for registration
- Submitted weekly Community Service Work Program timesheets
- Departmental work orders
- Prepared and turned in future program proposals to director
- Prepared and posted flyers with all upcoming programs in the display cases



Department Reports for April 2021

Planned programs and other monthly work:

State Employees Credit Union Public Fellows Internship Program – April 1

- Attended internship speed interviews on Zoom for intern candidates
- Discussed with Director our top 3 prospective interns after conducting interviews

Camping 101 Virtual Webinar – April 28

- Created slideshow for presentation
- Conducted webinar with ASU student and Hammocks Beach State Park
- Requested a Zoom meeting to be set up by Town Hall for the virtual program

Bear Island Family Campout

- Scheduled multiple Virtual Zoom meetings with Christine Mirabal (ASU student) to plan and discuss program details
- Emailed all registrants program details and itinerary for the camping trip
- Discussed with Pogie's the transportation logistics
- Purchased food/beverage and supplies for camping
- Picked up food order from Sam's Club and Walmart
- Gathered supplies and materials from recreation center for program

Summer Day Camp

- Set camp registration to go live on April 14 at 7 PM
- Submitted letter to Director for access to Camp Lejeune swimming pool, climbing wall, and movie theatre
- Researched and requested quotes for ordering camp t-shirts

NC Senior Games

- Attended Opening ceremonies
- Managed for pickleball doubles, pickleball mixed doubles at Courts Plus in Jacksonville
- Managed tennis event for singles and doubles at Kerr St. Rec Center and Ole Port Racquet Club
- Met with Jojo Cariaso from Jacksonville Parks and Recreation to create pickleball tournament brackets
- Hosted and managed pickleball tournament and Swansboro Municipal Park Tennis Courts for pickleball players ages 60+

Parks Advisory Board Meeting – April 21

- Hosted Zoom platform for Board Meeting
- Discussed recent and upcoming programs for the Recreation Department

Boys Rec Night

- Instructed and supervised Boys Rec Night program on April 23
- Planned activities for the program
- Picked up food for program from Burrito Shak
- Scheduled time for guest speaker from Pogie's to come talk to boys



Department Reports for April 2021

Permitting

Planning Board

- April 6, 2021 Regular Meeting
 - The Board reviewed and recommended approval of the proposed text amendments related to Chapter 160D
 - The Board reviewed and recommended approval of the Special Use Application for the Blazin' Bird restaurant
- April 19, 2021 Special Meeting
 - The Board reviewed the Building Design and Compatibility standards of the ordinance to address the two related LUP program of work items. Staff was asked to prepare an inventory of "unmaintained" properties along Hwy 24
 - The tree replacement standards of the ordinance were also discussed, and Staff was asked to gather ordinance examples from other communities
- Continuing to work on Land Use Plan program of work approved on February 3, 2020. Holding special meetings on the 3rd Monday of the month to address Land Use Plan Implementation

Historic Preservation Commission

- April 20, 2021 Regular Meeting
 - Cancelled
- Submitted grant application for the 2021 Historic Preservation Fund Pass-Through Grant for Historic Preservation Projects in Certified Local Government Jurisdictions to update the architectural survey for the National Register district. Spoke to John Wood and Kristi Brantley on April 12, 2021; total project cost will be \$15,000.00, the Town will be responsible for \$6,000.00. John suggested that we reserve the funds/reapply next cycle to explore designation of local landmarks. The grants committee will meet in May and applicants notified in June (pending the SHPO's receipt of federal funding)
- Requested to discuss outreach options for residents in the Historic District at May meeting

Projects/Misc.

- Shipwright Pointe, Section I Acceptance: Sent letter to Sydes and Parker on February 24, 2021 detailing requirements (landscaping must be completed). 12-month warranty period will expire on August 10, 2021. The 9-month warranty inspection will be conducted in May
- Shipwright Pointe, Section II Acceptance: Final acceptance requested on January 8, 2020. Advised Parker & Associates same day that the Town would not consider acceptance of the public infrastructure until the portion of Pine Bluff Road to be utilized for access was annexed. Sent annexation application
- Shadow Creek: Sent a letter on 4/9/21; Letter of Credit on file for incomplete improvements had expired. Advised that if all work was completed, they could request final acceptance. Warranty calculation dated March 24, 2020 in file; new LOC cannot be drawn down below 10% of total cost of all improvements, see Section 152.384, F, (5). A separate guarantee should be submitted for any incomplete sidewalks plus 25%. Sent email 4/30/21



Department Reports for April 2021

- Swansgate: Under construction. Public improvements should not be accepted until annexation petition heard and all required landscaping and fencing is installed. The site was clear-cut, so they are required to install an additional 23 trees per acre, reference approved Preliminary Plat and approved Final Plat
- Ward Farm Village Phase II (Residential): Original Preliminary Plat was approved as a Residential Cluster for 43 lots, only Phase I has been recorded (10 lots). Received a concept plan from John Freshwater adding 12 lots. Advised John on 4/6/21 that we could move forward with a lot reconfiguration as shown if the total number of lots is not increased, but the additional 12 lots would require Preliminary Plat review by the Board. Offered to process the sketch/preliminary at the same time to expedite it. Reference Section 152.337, (H), (1)
- Ireland Ave/Unnamed Estates: Sketch Plan submitted in July 2020 for Residential Cluster. Advised Lori Morris with Parker & Associates on September 22, 2020 that the Town would allow Whitney Ave to become a “through” street to connect to Hamrick Road through the Rotary property. Hamrick is a dirt road but is a recorded 60’ right of way. This would allow traffic to exit safely on Main Street Ext rather than at Ireland Ave as previously proposed. The right-of-way would need to be improved to NCDOT standards, to include sidewalks along both sides of all streets, to the intersection at Main Street Ext. I have been contacted by two of the Hamricks that have property on Hamrick Road and concerns about further development. They would like to receive copies of any future plans and be included in any board meetings
- Lodge View Minor Plat: Sent comments back to Prestige Land Surveying on July 1, 2020; awaiting response
- Yacht Club Flood Ordinance Violations: Building permit expired November 2019 based on permit revision issued; no inspections requested. Town has determined work constitutes a Substantial Improvement (letter dated March 18, 2021 in permit file); structure will need to be brought into compliance with current Flood Damage Prevention Ordinance/Building Code. Continuing to work with the Town Attorney on resolution
- Boro Temporary Structure: To be removed by June 30, 2021 (180 days) per permit 2020-1226 as allowed by the Flood Damage Prevention Ordinance for Temporary Non-Residential Structures in the floodplain and agreement with Randy
- Saltwater Grill Flood Violations: Sent Notice of Violation on December 14, 2020. Tim Anderson communicated on February 24, 2021 that he was waiting for Alex Wood (structural engineer) to conduct a site visit, Alex was 3 weeks out. Reached back out on April 12, 2021 for an update, to date, no communication received. Final NOV sent 4/29/21; Spoke to Tim 4/30/21 who explained they were working with Bell and Phillips on a survey and Alex would be reviewing the file. Explained that we would work with him as long as he kept us in the loop on progress and that a permit would be required for any trade/structural work
- One Harbor Church: Received an email from James Goodman on February 24, 2021 stating that they had completed site work to include the building pad, but that they were waiting on the architect to complete the final construction drawings for permitting. The Special Use Permit was issued on January 26, 2016
- Food Trucks and Sign Ordinance Text Amendments: Awaiting public hearing to be scheduled, Planning Board has already made their recommendations (included in agenda memos)



Department Reports for April 2021

- Shoreline Access Grant: Awaiting final plans. Advised Colin Mellor on March 1, 2021 via email (copied Chris) that per Eryn Futral, NFIP Planner with the NC Department of Public Safety, the Town would issue a Flood Permit and that we would need copies of all permits issued (State/Federal) for our records. Sent permit application
- Resilient Coastal Communities Program Grant: Orientation held April 15, 2021. Dewberry has been assigned as the Town's contractor to aid in completion of Phases 1 & 2
- Brant Court RV Violation: Sent final Notice of Violation per Cliff on March 18, 2021 with 30 days to comply. Certified mail copy was returned undeliverable. Was also hand-delivered by Police Department and sent via regular mail. Submitted to legal for enforcement 4/29/21

Police Department

Patrol:

- 167 Reportable Events
- 17 Motor Vehicle Crashes
- 6 Felony Arrests
- 9 Misdemeanor Arrests
- 4 Arrests by Warrant Service
- 2 DWI Arrests
- 12 Arrests with Transport to the Onslow County Jail
- 7 Felony Crimes Reported (3-Larceny; 2-Obtaining Property by False Pretenses; 1-Breaking & Entering; 1-Conspiracy to Commit Larceny)
- 39 Misdemeanor Crimes Reported (11-Larceny; 10-Property Damage; 7-Trespassing; 2-DWI; 1-Assault; 8-Traffic Related)
- 11 Disputes/Public Disturbances
- 5 Crisis Intervention with Mental Subjects
- 1 Overdose (non-fatal)
- 18 Alarm/Open Door Reports
- 93 Requests by Citizens for non-Crime Related Assistance
- 54 Requests by Other Agencies for Assistance

4,024 Events Performed on Patrol

Community Service/Training:

- 4 Vehicle Unlocks
- 4 Funeral Escorts
- 72 Foot Patrols
- 32 Business Closing Standby's
- 7 Requests by Residents for Residence Check
- Officer Tallman completed Basic Intox Operator Certification. 40-hour training conducted by Forensic Test for Alcohol Branch of the NC DHHS and held at New Bern Police Department

Public Works

No report provided.