



Town of Beaufort, NC

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Board of Commissioners Work Session Meeting 4:00 PM Monday, November 28, 2022 Train Depot, 614 Broad Street Beaufort NC 28516 Minutes

Call To Order

Mayor Harker called the meeting to order at 4:00 p.m.

There was a moment of silence to remember former Commissioner, Charles McDonald.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Mayor Pro Tem Hagle
Commissioner Oliver
Commissioner Cooper
Commissioner Terwilliger
Commissioner Hollinshed

Agenda Approval

Commissioner Hagle made a motion to approve the agenda.

The motion carried unanimously.

Items for Discussion and Consideration

1. Human Resources- Amendments to Personnel Policy

Jill Quattlebaum, Town Attorney, discussed the proposed amendment concerning random drug testing. She explained in order for a public employer to randomly drug test employees, there must be a legitimate government interest or special need, for example, safety sensitive positions, reasonable suspicion or a post accident situation. She noted

employees who routinely drive Town vehicles are considered to be in a safety sensitive position and would be subject to random drug testing. She suggested looking at employee's job descriptions to determine whether they are required to regularly drive a Town vehicle as part of their job duties.

Mayor Harker deemed a consensus to place the proposed amendments to the Personnel Policy under items of consent for the December 12th Regular Meeting.

2. Discussion of Moving Mayoral Term to a 4-year Term

Mayor Harker shared that the Town of Beaufort's Mayoral Term is currently 2-years, while the Commissioners Term is 4-years. She expressed a desire to change the Mayoral Term to 4-years, to allow a better opportunity to establish and fulfill long term goals and initiatives.

Ms. Quattlebaum explained the process of amending the Mayoral Term, in the event that Board decided to make the change. She noted the Town Charter would need to be amended, as well as the Town's Code of Ordinances. She went on to discuss the steps of amending the Town Charter; she shared the change would not affect the Mayor's current term.

Commissioner Hagle suggested the change was a step the Board should make.

Commissioner Hollinshed discussed the current cycle of Mayor and Commissioner's terms, and asked about term limits

Ms. Quattlebaum shared she was not aware of any limits in the Town Charter, Code of Ordinances, or State Statues.

Commissioner Hollinshed noted in order for a Mayor to form bonds and learn their duties, it would be beneficial to have them serve a 4-year term.

Commissioner Terwilliger pointed out with 2-year terms, the candidate was preparing for an election every other year, which was challenging and took time away from their current duties.

Commissioner Hagle made a motion to proceed with drafting a resolution of intent to amend the Town Charter and Code of Ordinances.

The motion carried unanimously.

3. 2023 Recycling Grant

Mayor Harker shared that Plastic Free by the Sea, a non-profit group under the Croatan Group of the Serra Club, requested the Town of Beaufort consider applying for a Community Waste Reduction and Recycling Grant offered through the North Carolina Department of Environmental Quality. She explained Plastic Free by the Sea has been working with Town citizens and businesses in educating them and promoting the reduction of single-use plastics in the local environment. She explained the group wishes to expand their efforts with a Sustainability Project that will promote the use of free re-useable shopping bags. She discussed various elements of the potential recycling grant, as provided in the meeting packet, and the desire for Plastic Free by the Sea and the Town to work collaboratively throughout the process.

Commissioner Oliver discussed several methods used to gather trash in the community, through a contractor (GFL Environmental) and Town services; he questioned if the items being picked up were being taken to the proper recycling destinations.

Mr. Clark confirmed to the goal was to divert materials out of the landfill, and to the Town's knowledge, items were being disposed of correctly.

Arey Grady, Town Attorney, discussed the many challenges municipalities face with providing recycling services.

Commissioner Oliver shared he was interested in the reduction side of it as suggested by Plastic Free by the Sea, as well as the follow through of where the recycled items are going.

Commissioner Cooper expressed his support for recycling efforts.

Commissioner Hagle confirmed the purpose of the program being discussed is to educate and promote the reduction of single-use plastic bags, such as shopping bags. He noted proper labeling on recycling bins was important because plastics were made of different particles.

Commissioner Hollinshed questioned, if received, who would be responsible for managing the grant funds and implementing the program throughout the community.

Mayor Harker suggested it would be a combined effort of the Town and Plastic Free by the Sea. She shared that the application was designed to allow a Town/City to receive the funds.

Commissioner Hollinshed expressed the educational portion of the initiative was key to the success of it.

Commissioner Terwilliger suggested a more aggressive approach would be implementing an ordinance that does not allow harmful environmental items, such as plastic bags, in Town limits. He also shared concerns as to who would manage the grant funds if received, noting Town staff was stretched thin.

Mayor Harker noted the discussion was meant to introduce the topic to the Board. She suggested the Town Manager take time to review the logistics of the grant, consider staff involvement throughout the process, and report back to the Board at a future meeting. She shared that she was happy to help with the grant process.

Suzanne Wheatcraft, with Plastic Free by the Sea, spoke on behalf of the committee. She discussed past, current and future educational efforts. She offered the group's help in preparing the grant application, reminding the Board of a February 2023 deadline.

4. Comprehensive & CAMA Land Use Plan

Mr. Clark shared at a prior meeting, the Board requested an executive summary be added to the draft Comprehensive & CAMA Land Use Plan, followed by a list of other suggested changes. Mr. Clark distributed the latest revisions provided by Jay McLeod with Stewart. He suggested the Board review the proposed changes over the next few weeks, to confirm the updated draft document meets their expectations.

Commissioner Cooper made a motion to approve the Comprehensive & CAMA Land Use Plan and send it to the Division of Coastal Management for review. He noted approval of the version that was last modified in October 2022, as presented by Jay McLeod at the October 24th Work Session. In his motion, Commissioner Cooper referenced page 194-A and suggested changing the second sentence of paragraph one to read, when construction or reconstruction must occur in the NIZ, it should be required to provide mitigation strategies that will preclude flooding, stormwater, and rising tide hazards. He also suggested adding the Inlet Inn, 601 Front Street, to the Critical Infrastructure Assets as well as entry 182 in the Table of Assets and Vulnerabilities on page 320; also, to remove stand alone bullet items regarding the Beaufort Hotel on page 251.

After discussion from the Board, Mayor Harker deemed a consensus from Commissioner Oliver, Commissioner Hagle, Commissioner Terwilliger and Commissioner Hollinshed, to review the provided updates of the draft plan and revisit it as an item of discussion and consideration at the December 12, 2022 Regular Meeting.

Commissioner Hollinshed noted the motion on the floor and called for question.

Voting Yea: Commissioner Cooper

Voting Nay: Commissioner Oliver, Commissioner Hagle, Commissioner Terwilliger, Commissioner Hollinshed

The motion was denied with a 4-1 vote.

Mayor Harker noted discussion of the topic would continue at the next meeting, on December 12th.

5. Petitions for Voluntary Annexation- 180 & 190 Davis Bay Drive

Ms. Lewis shared that on November 2, 2022, the Town received (2) petitions for voluntary annexation of 180 Davis Bay Drive and 190 Davis Bay Drive. She noted the applications, corresponding deeds, tax cards and a map were part of the meeting packet. She explained the first step in the annexation process was for the Board to direct the Town Clerk to investigate the sufficiency of the petitions submitted.

Commissioner Hagle made a motion to adopt the resolution provided in the meeting packet, directing the Town Clerk to investigate the sufficiency of the petitions for voluntary annexation submitted for 180 and 190 Davis Bay Drive.

The motion carried unanimously.

6. ARP Discussion

Christi Wood, Finance Director, shared the following information:

The Town of Beaufort received \$1,418,841.02 in American Rescue Plan Funds. The funds were received in two tranches and all funds have been received to date. The funds are public dollars and must be authorized by state law as well as meet both federal and state compliance requirements. Staff recently attended a series of ARP workshops which addressed the latest updates from the U.S. Treasury that provided clarifying information on the 4 categories of ARP eligibility.

The 4 categories of eligibility for ARP funds include: Address Covid Public Health & Negative Economic Impact; Replace Lost Revenue; Premium Pay; Infrastructure Investments. If the ARP allocation is between \$0-10M, ARP guidance recommends all funds are spent in the "Replace Lost Revenue" category. The town does not need to show any actual revenue loss. "Replace Lost Revenue" can be spent on almost any expenditure that is authorized under state law including reimbursements dating back to March 3, 2021. All funds must be obligated by Dec. 31, 2024 and fully expended Dec. 31, 2026.

Staff requests the Board of Commissioners (BOC) consider the "Replace Lost Revenue" category option and reimburse the General and Utility Funds for eligible expenditures and then select projects to fund. This process will meet the required state and federal compliance guidelines while removing stricter requirements associated with ARP funds. This will move all ARP funding to the General Fund or Utility Fund for use as designated by the BOC. The "Replace Lost Revenue" option relaxes the timeline for expending the funds. The hard deadline of Dec. 31, 2026 would be lifted; however, funds must still be used in a timely manner. During the FY 2022 Budget process the BOC approved eligible ARP projects. Capital Project Ordinances were approved in November 2021 with revisions to meet language requirements specified by the US Treasury approved in April 2022. Excess funds from the 2021 Capital Project Ordinances will need to be reallocated. These projects include: Stormwater projects, \$60,000 (not started); Equipment for the Train Depot to host virtual meetings \$20,000 (completed under budget); Site evaluation for new water plant, \$500,000 (spent approximately \$30,000 -project found not viable); Pump station #7 replacement, \$740,000 (in-progress, exceeds budgeted amount); Future projects as allowed by grant, \$98,841.02 (not designated).

Ms. Wood explained staff was requesting the Board consider voting to approve the "Replace Lost Revenue" category option, noting a future budget amendment would need to be prepared. She also noted there were a list of project suggestions provided in the meeting packet; she shared the designated projects could be discussed and established at a future meeting.

Commissioner Oliver made a motion to approve the Replace Lost Revenue category option for the American Rescue Plan Funds.

The motion carried unanimously.

7. Financial Notes

Ms. Wood shared the financial notes for October 2022, as provided in the meeting packet.

Recess

Commissioner Hollinshed made a motion to recess the meeting until December 8, 2022 at 3:00 p.m. at the Beaufort Train Depot.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk