



Town of Beaufort, NC
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Board of Commissioners
Regular Meeting
6:00 PM Monday, January 08, 2024
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Sharon Harker
Mayor Pro Tem Melvin Cooper
Commissioner Paula Gillikin
Commissioner John LoPiccolo
Commissioner Bucky Oliver
Commissioner Sarah Spiegler

ABSENT: None

Agenda Approval

Commissioner Cooper made a motion to approve the agenda as presented.

The motion carried unanimously.

Items of Consent

1. Meeting Minutes- December 11, 2023

Commissioner Cooper made a motion to approve the Items of Consent as presented.

The motion carried unanimously.

New Business

1. Local Government Revenue Bond Application Resolutions for the USDA-Funded Utilities Contracts

Todd Clark, Town Manager, explained the two resolutions before the Board for approval were related to the USDA-Funded Utilities Contracts. He noted one resolution was related to Water and Sewer, while the other was related to the Stormwater portion of the project.

Commissioner Cooper made a motion to approve the Resolution of the Board of Commissioners of The Town of Beaufort, North Carolina, directing the application to the Local Government Commission for approval of Water and Sewer System revenue bond anticipation notes and subsequent Water and Sewer System revenue bonds; making certain findings of fact; and requesting Local Government Commission approval of the Town's Water and Sewer System revenue bond anticipation notes and subsequent Water and Sewer System revenue bonds.

The motion was adopted by a vote of 5-0.

Ayes: Commissioner Cooper, Commissioner Gillikin, Commissioner LoPiccolo, Commissioner Oliver, Commissioner Spiegler

Nays: None.

The motion to adopt the aforementioned order was seconded by Commissioner Oliver and was adopted by the Board of Commissioners on the following vote:

Ayes: Commissioner Cooper, Commissioner Gillikin, Commissioner LoPiccolo, Commissioner Oliver, Commissioner Spiegler

Nays: None.

Commissioner Cooper made a motion to approve the Resolution of the Board of Commissioners of The Town of Beaufort, North Carolina, directing the application to the Local Government Commission for approval of a Stormwater System revenue bond anticipation note and subsequent Stormwater System revenue bond; making certain findings of fact; and requesting Local Government Commission approval of the Town's Stormwater System revenue bond anticipation note and subsequent Stormwater System revenue bond.

The motion was adopted by a vote of 5-0.

Ayes: Commissioner Cooper, Commissioner Gillikin, Commissioner LoPiccolo, Commissioner Oliver, Commissioner Spiegler

Nays: None.

The motion to adopt the aforementioned order was seconded by Commissioner Oliver and was adopted by the Board of Commissioners on the following vote:

Ayes: Commissioner Cooper, Commissioner Gillikin, Commissioner LoPiccolo, Commissioner Oliver, Commissioner Spiegler

Nays: None.

2. Case # 23-11 Final Plat - Beau Coast Phase 3

Kyle Garner, Planning Director, explained the applicant wishes to subdivide a 27.64-acre tract into 48 Single-Family Residential Lots. As part of the process, the developer has requested to bond the infrastructure improvement and has submitted cost estimates for the complete cost of improvements totaling \$\$880,605.56. Mr. Garner noted the Planning Board unanimously recommended approval.

Commissioner Oliver confirmed the Town did not have control over the HOA associated with Beau Coast. He suggested if there were questions or concerns, those would be handled directly by the HOA.

Mr. Garner noted that Town Staff does not enforce HOA rules.

Commissioner Oliver asked if the Final Plat being considered was consistent with the plans and specs that have preceded this phase of the development.

Mr. Garner confirmed that it was.

Commissioner Cooper expressed concerns with wetland areas.

Commissioner Spiegler also confirmed the Final Plat is consistent with the Preliminary Plat.

Commissioner LoPiccolo asked if the Planning Board had any concerns with the case.

Mr. Garner noted they had questions regarding the HOA and expressed concerns about the wetlands.

Commissioner Gillikin also spoke on the wetland concerns, noting the importance of citizen awareness and protecting wetland resources. She noted this project was following all the rules and regulations set forth from the beginning. She suggested the wetland topic be considered as part of the UDO update.

Joe Boyd, with WithersRavenel, spoke on behalf of Blue Treasure, LLC. He explained in this phase, there were wetlands within private lots, but they were not proposing to touch those. He noted all permitted impacts have been completed and approved through various entities.

Commissioner Cooper asked how they would guarantee there would be no further impacts on the wetlands.

Mr. Boyd explained through local enforcement.

Commissioner Cooper suggested there be affordable housing within Beau Coast.

Karl Blackley, President of Preston Development Company, shared that he has spoken with previous Boards about affordable housing. He explained they have not been able to offer that in the current development, due to the cost of land. He shared if there was a task force setup, he would welcome the opportunity to be part of it. He noted they would not be building workforce houses as part of the Beau Coast development.

Commissioner LoPiccolo asked if short term rentals would be available in the Final Plat.

Mr. Blackley said they would not be allowed in Phase 3.

Commissioner Cooper made a motion to approve Case #23-11 Final Plat, Beau Coast Phase 3 as presented.

The motion carried unanimously.

3. Case # 23-12 Final Plat- Beau Coast Amenity Center & Five Residential Lots

Mr. Garner explained the applicant was requesting to subdivide a 6.203-acre tract into five Single-Family Residential Lots and the Amenity Center. He noted that majority of the project was open space. He shared the applicant has chosen to request to bond the infrastructure improvement and has submitted cost estimates totaling \$357,804.89. He noted the Planning Board unanimously recommended approval of the Final Plat.

Commissioner Spiegler asked if the Final Plat was the same as the Preliminary Plat.

Mr. Garner confirmed that it was the same.

Commissioner Gillikin made a motion to approve Case #23-12 Final Plat as presented.

The motion carried unanimously.

4. Beaufort Business Association (BBA) Waiver Request of Mardi Gras Fees

Mr. Clark shared that Nelson Owens, president of the BBA, was formally requesting that the Board of Commissioners waive the Mardi Gras Fees and that the Town act as sponsor for the event. He noted that Town Staff recommends denial of the request to waive the \$3,653 fee. He shared the schedule of fees and charges was established with intentional and thoughtful consideration by the Board of Commissioners. He explained that if the request to waive Mardi Gras fees is approved, the Board should anticipate similar requests in the future from other organizations.

Commissioner Oliver asked if he could speak on the topic, as a member on the BBA's board.

Arey Grady, Town Attorney, asked if the Town made any appropriations to the organization.

Commissioner Oliver replied they did not.

Mr. Grady said he was in the clear to speak on the matter.

Commissioner Oliver suggested the Town look at the bigger picture, rather than the request to waive the Mardi Gras Fees. He recommended tabling the request, in consideration of a future discussion on parking revenues and education on what the BBA does for the Town.

Commissioner Spiegler shared she agreed with Commissioner Oliver's comments. She noted the Mardi Gras Event was quickly approaching and the Town should not set a precedence for any group. She suggested looking at the topic as a bigger picture would be a better approach, after gathering a better understanding of how the parking revenues are utilized.

Commissioner LoPiccolo suggested they be mindful of all non-profits putting on events within the Town and how requests like street closures affect the downtown area. He also agreed that looking at the issue as a whole seemed more logical, in consideration of parking funds and other businesses.

Commissioner Gillikin noted there had been some conversation about the Town becoming part of the Main Street Program. She confirmed with Mr. Clark, there was not a written policy for the purpose of the parking program or how the funds would be utilized. She also shared liability concerns with being an official sponsor of events such as Mardi Gras.

Nelson Owens, President of the BBA, shared they provide many free events such as the July 4th Parade, Fireworks, Christmas Parade, Santa's Village and Pirate Drop. He also noted that in 2023, they had 29 free concert events on the waterfront. He explained the reason he asked for sponsorship with the Town was in effort to create a partnership with the Town and potentially a Main Street Program.

Commissioner Oliver made a motion to table the request to waive the fees associated with Mardi Gras, with a focus on formulating a plan that addresses utilization of parking revenues and other topics associated within the business district. He noted the importance of keeping this item at the forefront of upcoming meetings.

The motion carried unanimously.

Public Comment

Riley Lewis: 2710 Bridges Street, Morehead City

Ms. Lewis shared that she was the White Oak Waterkeeper with Coastal Carolina Riverwatch. She explained that she was part of a water quality company and that she often went to Beaufort for work as well as personal reasons. She discussed the Beau Coast Development, specifically concerns around the wetlands area. She explained that as wetlands were removed, there was a risk to water quality through filtration and noted the importance the area provided to mitigate flooding. She suggested the Town consider flood maps going forward and be mindful of flooding projections sea level rise. She

ended by promoting Coastal Carolina Riverwatch and herself as a resource in considering any future development in Beaufort.

Ashlyn Clark: 301 Hillsborough Road, Carrboro

Ms. Clark explained she was a recent graduate of the University of North Carolina and had spent her last four months conducting research on Carteret County's wetlands and the implications of their development. She shared much of her research took place in Beaufort and surrounding areas, in terms of the impacts of water quality they were analyzing and the policies that Beaufort has enacted to protect the wetlands over the last 20-30 years. She discussed changes made in 2023 and why it was more important than ever before to protect wetlands. She also mentioned the Beau Coast development, noting concerns associated with the loss of recreational areas and the loss of crucial habitats that endangered, rare and threatened species rely on for survival. She encouraged the Board to consider how local developments promote the new demographics they hope to see in Beaufort. She suggested the Beau Coast development was causing harm to the environment. She shared as part of her Senior Project, she created an informational packet about Carteret County's wetlands and distributed a copy to the Board and Town Clerk.

Suzanne Schmidt: 1527 Ann Street, Beaufort

Ms. Schmidt requested the public comment portion of the meeting be before the Commissioners take a vote on New Business, rather than at the end of the meeting.

Harriet Altman: 103 Leonda Drive, Beaufort

Ms. Altman noted it would have been helpful to have the first two people who spoke during the Public Comment share that information at the beginning of the meeting, as it would have been useful in the Board's discussion about wetlands. She also suggested the Public Comment period should take place before the Board votes on any topic.

Manager Report

Mr. Clark shared a monthly Manager's Report which can be accessed online by visiting the following link: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>

Some highlighted topics include: USDA Funded Utility Projects; Professional Park Drive Area Stormwater Inventory & Flood Study; FY23 Street Rehabilitation and Construction Project; Golden Leaf Foundation Grant Application; as well as other upcoming events and activities.

Mayor/Commissioner Comments

Commissioner Oliver offered a moment of remembrance and recognition for Doctor Geralene Mills Sutton, who recently passed away. He shared the important role she played in Beaufort, specifically being the driving force behind the Maritime Heritage Foundation project, where she harnessed her skills, effort, and her rolodex. He noted Ms. Sutton touched many lives in Beaufort and asked the audience to stand to wish her peace.

Commissioner Cooper wished all a Happy New Year. He thanked those who spoke during Public Comment, specifically those from Coastal Riverwatch. He made note of two Martin Luther King Jr. ceremonies taking place in the next few weeks.

Commissioner Spiegler also thanked Riley and Ashlyn for their comments during the meeting. She noted that she appreciated the Final Plat for Beau Coast Phase 3 was consistent with the Preliminary Plat. She said there were some things in the Plat that did stand out, and she would continue to monitor coastal wetlands issues very closely. She noted it was especially important to consider projects that are in tracts of land adjacent to the Town's water bodies, as they have very large impacts on the water quality in the area. She also noted that once Phase 3 and the adjacent Phase 2B is developed, the entire south shore of Turner Creek will be developed.

Commissioner LoPiccolo thanked all who came and participated in the meeting. He offered his condolences to the Sutton family. He thanked Town Staff at the Wastewater Treatment Plant, as they continue to deal with outdated and non-functioning computer systems. He noted the developers and engineers did their due diligence as far as Beau Coast Phase 3 was concerned. He stressed the importance of the update to the Town's UDO.

Commissioner Gillikin echoed the comments of her fellow Commissioners regarding Beau Coast Phase 3. She too noted the importance of the environment and wetlands in the area. She thanked the developers of Beau Coast, for complying with rules and regulations along the way, while even surpassing some of the State Stormwater regulations. She also stressed the importance of the UDO update, as it will provide an opportunity for the Town to shape future growth and development.

Mayor Harker commended the Commissioners for a great meeting and thanked all who were in attendance. She shared that she made the decision to move Public Comment to the latter part of the meeting, in the hope that citizens would stay engaged for the entirety of the meeting. She also offered her condolences to the Sutton family.

Closed Session

1. Pursuant to NCGS 143-318.11 (a) (3)

Commissioner Cooper made a motion to enter closed session pursuant to NCGS 143-318.11 (a) (3).

The motion carried unanimously.

Adjourn

Commissioner Oliver made a motion to adjourn the meeting at 8:30 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk