



Town of Beaufort, NC
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Board of Commissioners
Work Session
4:00 PM Monday, July 28, 2025
Train Depot, 614 Broad Street

Call To Order

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

Roll Call

Town Clerk, Elizabeth Lewis, called the roll:

PRESENT:

Mayor Harker
Commissioner LoPiccolo
Commissioner Gillikin
Commissioner Spiegler
Commissioner Oliver

ABSENT:

Mayor Pro Tem Cooper

Agenda Approval

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

The motion carried with a (4-0) vote.

Project Updates

1. ADA Transition Plan

Brad Fockler, Code Enforcement Officer with the Planning Department, provided an update on the Town's implementation of its Americans with Disabilities Act (ADA) Transition Plan, which was adopted on August 8, 2022. Although formal updates are only required every five years, Mr. Fockler presented early due to notable progress across multiple areas. He began by referencing a recently resolved accessibility grievance at the Courthouse Lane, the entrance of the Carteret County Courthouse. The issue was addressed promptly through coordination with the Public Works Department,

demonstrating the Town's commitment to ADA compliance and responsiveness to community concerns.

Mr. Fockler outlined numerous infrastructure improvements made since the plan's adoption. These included the installation of detectable warning surfaces, raised crosswalks at Randolph Johnson Park and near the Maritime Museum, and nearly 8,000 linear feet of ADA-compliant sidewalk. He commended the Public Works Department, led by Mark Eakes, for completing a majority of this work internally. He also mentioned accessibility upgrades at Town Hall, such as proper signage, compliant ramps, and restrooms. He shared at Randolph Johnson Park, ADA-accessible design ensures full navigation of the site without the use of lifts.

Mr. Fockler also discussed the Town's role in promoting ADA compliance in private development through the Technical Review Committee (TRC) process. He referenced a development on Live Oak Street that will feature ADA-compliant sidewalks stretching from Mulberry Street to a future roundabout. In terms of ongoing challenges, Mr. Fockler identified aging infrastructure at the Town's docks as a concern due to uneven surfaces and structural limitations. He emphasized the importance of balancing the preservation of Beaufort's historic charm with modern accessibility standards.

Commissioner LoPiccolo inquired about the condition of existing sidewalks and whether a comprehensive assessment could be conducted. Town Manager, Matt Zapp, confirmed that Public Works could work with Precision Safe Sidewalks to categorize and prioritize repairs based on severity.

Commissioner Oliver referenced the NaviLens program for the visually impaired, currently in use at the Maritime Museum, and suggested exploring potential partnerships to expand similar initiatives town-wide.

Commissioner Spielger mentioned educational opportunities, noting some people park their vehicles parking on the sidewalks even at their own homes.

Mayor Harker shared observations from a recent ADA-focused walk with local advocate Peter Crumley. She noted several design issues with crosswalks on DOT-maintained roads that may pose challenges for visually impaired pedestrians.

Mr. Zapp concluded by emphasizing the layered nature of ADA compliance, ranging from new construction and routine maintenance to external coordination with NCDOT. He stated that future advocacy for dock and bridge improvements will center on creating accessible, inclusive infrastructure for all residents and visitors. Hearing the discussion and desire of the Board, he noted the Town would move forward with having the sidewalks accessed by Precision Safe.

2. WWTP Capacity

Town Engineer, Sam Bell, provided an update on the Town's Wastewater Treatment Plant (WWTP) capacity, building upon his earlier presentation from the February 2025 Board Retreat. He explained that under state regulations, the Town is required to submit an engineering evaluation when the annual average daily flow (ADF) exceeds 80% of the plant's permitted capacity of 1.5 million gallons per day (MGD). Furthermore, the Town must obtain all necessary permits for expansion before the ADF surpasses 90% of that capacity.

Mr. Bell reported that the WWTP is currently operating at approximately 75.3% of permitted capacity. This figure includes the average daily flow of 0.8998 MGD, or roughly 60% of total capacity, and an additional 0.2294 MGD (15.3%) in obligated but non-tributary flows, allocations committed to developments not yet contributing flow. The remaining 4.7% of capacity equates to approximately 70,500 gallons per day, which Mr. Bell stated could accommodate around 392 additional three-bedroom homes before triggering the 80% planning threshold. He noted that the current percentage reflects a 3–

4% decrease compared to 2024. This reduction was attributed to a combination of factors: progress on the USDA-funded sewer rehabilitation project, decreased rainfall that reduced infiltration and inflow (I&I), and updates to the Town's allocation tracking system that removed expired allocations from developments. In previewing upcoming compliance work, Mr. Bell noted that the Town has initiated the Water-Effect Ratio (WER) Study for total copper, as required by the new NPDES permit.

Mr. Bell reported that pump station capacity continues to be an important part of the overall sewer system. He noted that Pump Station #7 is in need of replacement and that the Town is pursuing alternative funding sources after an initial grant application was unsuccessful. He shared that a broader planning study for Pump Stations #1, #2, #3, and #5 is also under review, along with a possible relocation of the Pivers Island force main.

Commissioner Gillikin asked what percentage of I&I reduction could be expected from the USDA rehabilitation project. Bell responded that while a maximum of 12% might be possible, a more realistic expectation would fall in the 5–10% range.

Commissioner Oliver asked for an updated figure for average daily water treatment flows excluding irrigation, referencing a past estimate of 430,000 gallons per day. He also emphasized that the primary issue facing the system is not treatment of effluent, but rather the volume of infiltration and inflow. He suggested that I&I remains a significant challenge the Town must continue to address.

Donovan Willis, Public Utilities Director, indicated that results from the WER study are expected by fall 2025.

Items for Discussion and Consideration

1. Final Approval of Oakes Grading Contract

Town Manager, Matt Zapp and Town Attorney, Arey Grady, presented the final approval request for the Oakes Grading design-build contract for the fuel farm installation project. Mr. Grady explained that the base contract amount sat at approximately \$880,000, with anticipated site-related expenses.

Mr. Zapp explained those additional cost would primarily be related to moving of dirt, and the total project amount was not to exceed \$1.2 million.

Commissioner Oliver asked that item five on page four of the contract be changed to include the actual condition.

Mr. Grady confirmed he would fix that section.

Commissioner Oliver voiced significant concern about committing to the full contract amount prior to receiving Local Government Commission (LGC) approval and finalizing the bank financing required for the project. He stressed that by signing the contract as-is, the Town would assume full financial responsibility for the full contract plus additional costs. He recommended conditional acceptance of the Oakes contract, contingent upon both LGC approval and bank financing, to mitigate financial risk.

Commissioner Oliver also highlighted the need for the Town to clearly understand the operating budget and total cash requirements for the project. He further noted the need for a "Plan B" should LGC approval or financing not materialize, and emphasized that the Town should not rely solely on the assumption that approval will be granted.

Mr. Zapp acknowledged the concerns and explained delays in contract execution could jeopardize the project schedule due to procurement lead times for the tank and materials. He explained that the Town's current fueling contract is only valid until December 31, 2025, and delays in executing the project could push the completion date later into 2026.

Mr. Zapp estimated that these upfront costs would total less than \$200,000, providing the Town a defined financial boundary while awaiting approvals.

Christi Wood, Finance Director, reported that a public hearing on financing is scheduled for the Board of Commissioner's August 11th Regular Meeting, with LGC review anticipated in September. She confirmed that LGC has not expressed concerns to date, and that all necessary documentation for both the bank and LGC is in order.

Ms. Wood confirmed there was a project fund with about \$200,000-230,000 specifically for the waterfront project. She also explained the Board had appropriated \$100,000 in the annual budget to go in the capital reserve fund, which can be transferred to the waterfront project fund, ultimately providing about \$300,000 for the waterfront project and potential upfront costs of the fuel farm.

Mr. Grady proposed a contract amendment to Section 1.01, adding contingency language to limit the Town's obligations to design, permitting, and tank procurement costs should financing fail. Mr. Grady noted that this approach is cleaner and more enforceable than attempting to negotiate separate exit clauses with Oakes after contract execution.

Commissioner Gillikin expressed her desire to move forward with at least ordering the tanks and adding contingency language to the proposed contract.

Commissioner Oliver said he did not want to delay it, but he wanted to be very upfront with the citizens.

The Board also discussed the possibility of alternative fueling arrangements if the project is delayed.

Commissioner Oliver urged staff to investigate backup strategies, including temporary above-ground fuel storage or mobile fueling solutions, to ensure continuity of service.

Commissioner Spiegler made a motion to approve the contract as presented, with the addition of language to Section 1B clarifying that, in the event of a disruption in the funding path, the Town will be liable and responsible for all costs associated with the project incurred up to the date of contract termination. The motion also included approval of Capital Project Waterfront Improvement Budget Amendment #1.

The motion carried unanimously with a (4-0) vote.

Commissioner Oliver made a motion to authorize the Town Manager to research all potentially beneficial fuel alternatives, should the current plan for the fuel farm not proceed.

The motion was denied with a (3-2) vote.

Voting Yea: Commissioner Oliver, Commissioner LoPiccolo

Voting Nay: Commissioner Spiegler, Commissioner Gillikin, Mayor Harker

2. Disaster Debris Removal and Monitoring RFP results

Finance Director, Christi Wood, presented a request for the Board to approve and select contractors for pre-positioned disaster debris monitoring and removal services. She explained that the Town had advertised Requests for Proposals (RFPs) for both disaster debris monitoring and disaster debris removal, and responses were received on July 18, 2025. Following a review conducted by Ms. Wood and Public Works Director Mark Eakes, the following recommendations were made:

- For Pre-Positioned Disaster Debris Monitoring and Contract Supervision, two eligible proposals were received. Staff recommended selecting Debris Tech as the primary contractor and Tetra Tech as the secondary contractor.

- For Phase II – Disaster Debris Removal, four eligible proposals were received. Staff recommended selecting CTC Disaster Response as the primary contractor and TFR as the secondary contractor.

Ms. Wood noted that these contracts are intended to be pre-positioned and would be activated as needed in the event of a disaster. The contracts would be for a three-year term with two optional one-year renewals. She added that, while the Town maintains a memorandum of understanding with Carteret County, having directly contracted debris contractors in place would ensure additional readiness. She confirmed that the selected contractors are different from those currently under contract with the County. It was also clarified that FEMA requires separate companies for debris monitoring and debris removal in order for expenses to be eligible for federal reimbursement.

Commissioner Gillikin made a motion to approve the recommended contractors and to authorize the Town Manager to negotiate the contracts with each selected firm.

The motion approved unanimously with a (4-0) vote.

3. Ordinance Review– Chapter 113. Itinerant Merchants

Michelle Eitner, Town Planner, presented proposed amendments to Chapter 113 regarding itinerant merchants, food trucks, and mobile vending. She explained that this was phase one of a two-part modernization process. Phase two will involve amending the Town's Land Development Ordinance to define itinerant vending as a use type, which would ultimately be incorporated into the Unified Development Ordinance (UDO).

The Board reviewed two key language considerations. The first pertained to an exemption for farmers markets. Ms. Eitner presented two draft versions, and the Board expressed a preference for the version referencing events held on county courthouse property.

The second item was proposed language under Section 10, which would allow itinerant merchants currently engaging in business within the Town, as defined by the chapter and identified by the Board of Commissioners, to continue operating through December 31, 2025. This sparked considerable discussion among the Board.

Commissioner Gillikin voiced strong support for the provision, specifically referencing a long-standing brick-and-mortar business that regularly hosts rotating food trucks in a designated parking space. She argued that the Town had allowed this practice for years without enforcement and had a responsibility to provide a path forward rather than interrupt the business mid-season. Commissioner Spiegler echoed this concern, recommending that any changes take effect in the off-season to avoid disruption.

Commissioner LoPiccolo expressed concern about setting a precedent by accommodating a specific business. She warned that the Town could face future challenges if similar requests arise and noted that fairness and consistent enforcement were critical.

Mr. Grady clarified that if the Board wished to allow continued operations, each food truck operator would need to come before the Board to seek designation under the grandfathering provision. The Board would have full discretion over who qualified under this clause.

Commissioner Spiegler suggested modifying the language in Section 10 to replace the word "identified" with "approved" to better reflect the need for formal Board action. The Board generally agreed this language was clearer.

Commissioner Gillikin proposed that the amendments become effective on August 12, 2025, following the next regular meeting. This would allow current itinerant merchants time to apply for Board approval and continue operating while transitioning toward compliance.

Ms. Eitner confirmed that enforcement responsibility under the amended ordinance would fall to the Planning and Inspections Department. Vendors who have not received Board approval would be subject to enforcement action by the Code Enforcement Officer.

Commissioner Spiegler made a motion to approve the proposed amendments to Chapter 113 with the following revisions: Section 4 to read, "Any person selling at a farmer's market held on the county's courthouse property or special event approved by the Town," and Section 10 to use the word "approved" rather than "identified." The motion also set the effective date of the ordinance as August 12, 2025.

The motion passed with a (3-1) vote.

Voting Yea: Commissioner Gillikin, Commissioner Spiegler, Commissioner Oliver

Voting Nay: Commissioner LoPiccolo

Mr. Zapp confirmed he would reach out to local businesses and food truck operators to explain and educate them about the amendments and process moving forward.

4. Sewer Allocation Request - 302 Island Drive

Mr. Bell presented a sewer allocation request for 302 Island Drive in the Deerfield subdivision. The request was for a 4-bedroom home requiring 240 gallons per day allocation. Mr. Bell showed a map indicating this was one of the lots not included in the original Deerfield switchover. He confirmed the wastewater pump station serving the subdivision would still be well under capacity with this addition. He noted homeowners would be responsible for system development fees and monthly billing at twice the in-town rates since it's an out-of-town location.

Commissioner Oliver requested information on the total potential demand if all lots in the Deerfield subdivision requested sewer connection.

Mr. Bell indicated the immediate vicinity shown on the map had various lots that could potentially connect but could not provide the total subdivision demand without further analysis. He noted the pump station's current design capacity was noted as 18,040 gallons per day.

Commissioner Oliver made a motion to table the request until the requested data was provided.

The motion carried unanimously with a (4-0) vote.

5. FY 25/26 Funded Position- Community Engagement Director

Mr. Zapp presented a job description and draft advertisement for a new Community Engagement Director position that was funded in the FY 25/26 Budget. He explained the position would split responsibilities currently held by Public Information Officer, Rachel Johnson, who manages public information, parks and recreation, events, and serves as deputy clerk.

Mr. Zapp explained the proposed position would serve as liaison to the Parks and Recreation Advisory Board and potentially the Beaufort Business Association, coordinate community events, strengthen downtown business communication, support communications strategy, and provide backup clerk duties. He confirmed the position would be the primary contact for all events.

Commissioner Spiegler suggested including "parks" in the first line of the job description to attract candidates with parks experience.

Discussion ensued about specific groups the position would liaise with throughout Town. Mr. Zapp noted that while Parks and Recreation Advisory Committee and Beaufort Business Association were specified, adding too many required groups could mean

meetings every night. He asked for specific groups if the Board wanted them included, noting they had identified that most events flow through a smaller group of organizations.

The Board supported moving forward with the position with a few minor edits to the language. They did not call out any other specific organizations to be added to the job description.

Commissioner LoPiccolo made a motion to authorize staff to move forward with advertising and hiring a Community Engagement Director.

The motion carried unanimously with a (4-0) vote.

6. Municipal Leasing Option for FY25/26 Vehicle Acquisitions

Mr. Zapp presented a proposal for the Town to pilot a municipal vehicle leasing program through Enterprise Fleet Management. As part of the Fiscal Year 2025–2026 procurement process, staff evaluated alternatives to traditional vehicle ownership and determined that leasing through Enterprise may offer significant cost savings and operational flexibility. Under the proposed pilot, the Town would lease two vehicles: one truck for Public Works (General Fund) and one truck for the Utilities Division (Water & Sewer Fund).

Mr. Zapp explained that the lease program functions more like capital financing than traditional leasing. For example, an F-150 Crew Cab 4x4 would lease for approximately \$750 per month (\$9,000 annually), with the Town selling its current vehicles and applying those proceeds as a down payment. The lease structure includes a 36-month term, no mileage penalties, and a provision for the Town to receive any resale surplus at the end of the lease term. These proceeds could be reinvested in future leases to help offset costs. The projected year-one savings were estimated at up to \$30,000 for the Public Works Department and up to \$40,000 for the Utilities Division. Zapp emphasized that the program was particularly favorable for utility and public works vehicles at this time. He also referenced prior success with similar lease arrangements.

Commissioner Oliver requested detailed documentation outlining the full 36-month plan, including what is and is not covered, specifically regarding insurance, maintenance, registration, and any exclusions.

Mr. Zapp agreed to provide this information to the full Board.

Commissioner LoPiccolo made a motion to authorize staff to explore the municipal lease option for the two vehicles mentioned.

The motion carried unanimously with a (4-0) vote.

7. 1775 Live Oak Street- Conceptual Site Plan

Mr. Zapp presented a conceptual site plan for the 15-acre property located at 1775 Live Oak Street, developed by Rivers & Associates. The plan outlined potential locations for future Town Hall, Public Works, and Wastewater Treatment Plant facilities. Mr. Zapp noted that during the Board's February 2025 Retreat, there was a request to pursue architectural renderings for the site.

Mr. Bell explained, following that direction, he engaged Oakley Collier to develop preliminary designs, but later discovered the existing conceptual plan prepared by Rivers & Associates.

The Board reached a consensus that the current conceptual plan is sufficient and that no additional architectural work is necessary at this time, given the absence of a definitive plan for the site.

Commissioner Gillikin made a motion to discontinue the associated purchase order with Oakley Collier and to halt any further engineering work at this time.

The motion carried unanimously with a (4-0) vote.

8. USDA Resolution – Authorization to Obtain a Subsequent Loan from USDA Rural Development

Mr. Zapp presented a resolution authorizing the Town Manager to execute all documents related to USDA Rural Development funding.

Commissioner Oliver asked about the amount, with Mr. Zapp confirming the current estimate was \$6.5 million based on finance and engineering's recalculation of interest history, assuming 100% rollover of interim financing for potential savings.

Ms. Wood confirmed the current interim rate of 4.25% but stated the rate could not be guaranteed for the full rollover at this time.

Commissioner Oliver made a motion to adopt the resolution as presented, authorizing the Town Manager to execute all necessary documentation related to the USDA Rural Development Subsequent Funding.

The motion was seconded by Commissioner Gillikin.

The motion carried unanimously with a (4-0) vote.

Staff Comments

1. Godette Hotel- 400 Pollock Street

Mr. Grady reported that the property owner's attorney is still reviewing the proposed encroachment agreement for 400 Pollock Street. He recommended that the Board continue moving forward with this process, expressing hope that a finalized document would be available for their review at the August 11th Regular Meeting.

2. Construction of Additional Parking Spaces

Mr. Zapp presented options to offset the potential loss of six parking spaces in the west parking lot due to fuel delivery lane requirements. He reported that Mr. Eakes had identified opportunities to add three spaces on Front Street and four on Craven Street, resulting in a net gain of one space.

He explained that the Front Street option would involve converting the existing bus/delivery zone in front of the Inlet Inn into three parallel parking spaces. Staff's direction is that these would be paid spaces, consistent with current parking practices on Front Street. The estimated cost for grinding and restriping is approximately \$500.

The Craven Street option would require relocating one tree and a trash receptacle to create four new parking spaces. Staff's direction is that these would be unpaid spaces, in line with the Town's tradition of not charging for parking on perpendicular streets.

Commissioner Spiegler suggested exploring additional parallel parking opportunities along other areas of Front Street.

Commissioner Gillikin recommended considering alternative materials to asphalt, particularly for unpaid spaces, such as pervious surfaces or reinforced grass.

Mr. Zapp confirmed that all parking improvements would be completed prior to the start of demolition in the existing lot, allowing adequate time for implementation.

The Board consensus was for staff to move forward with continuing to explore the additional parking space recommendations as presented and to specifically check on alternative materials to asphalt for both locations.

3. Dredging Update

Kyle Garner, Planning Director, provided an update on dredging of Bulkhead Channel with work expected to begin late August or early September. He expressed the urgency of getting the work completed.

Commissioner Gillikin made a motion to authorize spending \$112,500 on the dredging of Bulkhead Channel.

The motion carried unanimously with a (4-0) vote.

Police Chief Burdette shared that he had met with citizens on Ann Street who requested to close portions of Ann Street on the night of Halloween. He noted that the Police Department supported this request, as the Halloween festivities on that particular street had significantly grown over the years.

Chief Burdette explained that significant congestion with vehicles and golf carts mixing with pedestrians presented a safety concern.

The Board supported the request and instructed staff to include it on the August 11th Regular Meeting agenda.

Closed Session

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

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

The motion carried unanimously.

Adjourn

Commissioner Gillikin made a motion to adjourn the meeting at 8:10 PM.

The motion carried unanimously with a (4-0) vote.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk