



Town of Beaufort, NC

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Board of Commissioners Regular Meeting 6:00 PM Monday, March 13, 2023 Train Depot, 614 Broad Street Beaufort, NC 28516 Minutes

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

Agenda Approval

Mayor Harker asked for a motion to amend the agenda to add *Financial Advisors*, listed as number six, under **Items for Discussion and Consideration**.

Commissioner Cooper made a motion to amend the agenda as stated.

The motion carried unanimously.

Presentations

1. Recognition of Beaufort Harbor & Waterways Master Plan Advisory Committee Members

Mayor Harker, on behalf of the Board of Commissioners, presented each member with a certificate of appreciation and a special coin to honor them for their hard work and dedication to the Town of Beaufort.

Harbor and Waterways Master Plan Advisory Committee Members recognized are as follows: Steve Bishop, Tipper Davis, Doug Doubleday, Victor Fasolino, Becky Bowler, Susan Sanders, Miriam Sutton and Doug Townsend.

Public Comment

There was none.

Items of Consent

1. Minutes- February 13th & February 27th
2. Lion's Club Bridge Run

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

The motion carried unanimously.

Items for Discussion and Consideration

1. Request for Extension of Reserved Sewer Capacity, 504 Island Drive

Greg Meshaw, Town Engineer, shared that the owners of 504 Island Drive had requested an extension to the sewer capacity reservation deadline associated with the property. Mr. Meshaw explained the original reservation was granted by the Board of Commissioners during their Regular Meeting on March 8, 2021; the capacity was sufficient to serve a 3-bedroom residence to be constructed at the address. He explained the allocation remains unused because construction of the residence has not yet started, and because the water meter to serve the structure has not been installed. He reminded the Board that the Town's policy allows for an initial six-month extension. He asked that the Board consider approving a six-month extension to the deadline by which the reserved capacity allocated to 504 Island Drive on March 8, 2021 was to have been used.

Commissioner Hagle made a motion to approve the extension of reserved sewer capacity.

The motion carried unanimously.

2. Police Department- Surplus Items

Chief Burdette explained there were several items of the Beaufort Police Department that need to be placed in surplus, as the weapons are no longer being used since the department had transitioned to the Taser 7 Platform. He noted the equipment was less lethal weapons, and staff was requesting to transfer several items to the Martin County Sheriff's Office, as well as the Indian Beach Police Department. He requested the Board approve the resolutions provided in their meeting packet, which declare the specific items as surplus property and allows a transfer to requesting agencies with no monetary gain.

Commissioner Oliver made a motion to approve the proposed resolutions associated with Beaufort Police Department Surplus Items.

The motion carried unanimously.

3. Personnel Policy Update- Name Clearing Hearing

Barbara Cooper, Human Resources Manager, proposed an amendment to the Town of Beaufort Personnel Policy. She noted the specific update was associated with Article IX.

Unsatisfactory Job Performance and Detrimental Personal Conduct- Section 8: Name Clearing Hearing; the proposed changes are referenced below:

Following the Town's decision to dismiss or demote an employee for detrimental personal conduct, including but not limited to serious character defects such as dishonesty or immorality, the employee shall be afforded an opportunity for a name clearing hearing if he or she contends the reasons for the disciplinary action are stigmatizing and false. Employees who are demoted or dismissed solely for failure to perform job duties, incompetence/poor performance or absenteeism are not eligible to request a name clearing hearing. This policy applies to all employees, including regular, probationary, and part-time employees.

The employee must request the hearing within ten (10) business days of the disciplinary action. If requested by the employee, a time and date for the hearing will be established such that the hearing takes place prior to the release of any negative or stigmatizing information about the employee that could inhibit future employment. The employee may invite anyone (including the media) to the hearing. The Town Manager or his or her designee shall serve as the hearing officer.

At this name clearing hearing, the employee may present any response to information that the employee believes to be false and/or stigmatizing to the employee's reputation with respect to the reasons for the dismissal or demotion. There is no requirement for the Town or the hearing officer to respond in any way to the verbal or written comments of the employee at or subsequent to the hearing.

Any written comments submitted by the demoted or dismissed employee will be placed in the employee's personnel file, and a copy will be provided to anyone who requests the termination letter on that employee. In lieu of attending the hearing, the employee may submit written comments which will be placed in his or her personnel file. If the employee speaks at the hearing but does not provide written comments, the hearing officer shall take notes and place a copy of the notes in the employee's personnel file. A copy of the written comments and/or notes described will be provided to anyone who requests the termination letter on that employee.

The name clearing hearing is not a substitute or second opportunity for a pre-dismissal conference at which the employee may contest the proposed disciplinary action. Information presented at the name clearing hearing will not be used by the Town to reconsider the disciplinary action.

Commissioner Hagle made a motion to approve the proposed Personnel Policy amendment.

The motion carried unanimously.

4. Triathlon Update

Rachel Johnson, Parks and Events Coordinator, explained she had presented the event request at a prior meeting and it was the Board's direction to bring back an update and request final approval. She noted since the last meeting, event organizers have conducted two meetings with the Town and area public safety teams. She shared that a virtual meeting with the Beaufort Police Department was held on February 8, 2023, to discuss an alternative route from the initially proposed route along Front Street. She explained the race course, as provided in the meeting packet, and noted Ann Street had been added to

the route. She also shared there would be an additional meeting scheduled for late April for public safety to address any last minute concerns.

Commissioner Hagle asked about volunteers for the event.

Ms. Johnson explained if the organizers have trouble providing an adequate number of volunteers to work the mandatory posts, they have been advised they may ask the Town to help provide staffing for those locations. She noted that advanced notification is needed to make proper arrangements, and they would need to pay Town staff for hire rate.

Commissioner Hagle asked how the event organizers planned to address parking.

Ms. Johnson explained it was her understanding that the participants would be parking at Gallants Channel, along with the majority of spectators.

Commissioner Hagle made a motion to approve the proposed Triathlon Event, scheduled for May 13, 2023.

The motion carried unanimously.

5. Music in the Park Concert Series

Ms. Johnson explained the Beaufort Business Association (BBA) submitted an event request which proposes Music in the Park for 29 consecutive Thursday evenings starting on April 13, 2023 and ending on October 26, 2023. She explained each of the events would include amplified music and alcohol sales on Town property from 5:00-8:00 p.m. weekly. She shared the Police Chief reviewed the application request and feels comfortable waiving the event alcohol requirement to hire 2 off-duty officers to provide security at the \$50 an hour rate. She noted the events have been low impact, family friendly events in the past, but the Police Chief could reinstate the additional officers at any point if needed. Ms. Johnson shared the BBA has requested the Town consider waiving the event electricity fee; the rate being \$50 per event to equal \$1,450 over the 29 requested dates. She shared the BBA also requested the Town provide lighting in the park; she noted staff recommended the Town not agree to add any additional lighting at this time. She shared the event request had been reviewed by the Police and Fire Chiefs and they did not express any public safety concerns with the event series. Ms. Johnson explained after the Board of Commissioners approve an event, staff provides a letter to submit to the State regarding alcohol sales for one-time events and one-time ABC permits noting the Town has waived its ordinances for the specific request. She shared this request was somewhat different, as there were multiple dates consolidated into one request.

Commissioner Cooper confirmed the specific request from the BBA's application, regarding the electricity fee, additional lighting and alcohol sales. He asked if these request had been approved in the past.

Ms. Johnson explained the event had been approved in the past, but never for this many consecutive dates. She shared the lighting issue becomes more of a problem during the Spring and Fall months, rather than Summer. She noted the Town has waived the event alcohol requirement to hire off duty officers, because it has been a small and controlled event. She also shared the Town had offered event grants in the past to offset fees such as electricity, but explained that program was no longer active.

Commissioner Cooper questioned utility cost associated with the event and its proposed dates.

Mr. Clark added some clarification on the ABC permit portion, explaining the applicant is responsible for obtaining their own permit and paying any associated fee. He shared the BBA may want to come back to the Board at a later time for consideration of a lease agreement for these events, which would allow them to obtain one ABC permit for all 29 proposed event dates.

Commissioner Oliver shared he was in favor of the extended Music in the Park Concert Series, as it beneficial to the Downtown area. He suggested if a lease were ensue, it should be nonexclusive. He noted the electricity associated with an electric guitar would not be a great cost to the Town, and supported the request to wave the electrical fees.

Commissioner Terwilliger shared he too was in favor of the event series and supported the request to wave the electrical fees. He also noted his support of a lease agreement, should it help the applicant in applying for the ABC permit. He suggested if needed, the Town Attorney and Town Staff could draft an appropriate lease with BBA. He also suggested Police Officers on duty walk Downtown during the event, to facilitate a friendly relationship with the community.

Commissioner Hollinshed expressed her full support of the proposed event and the extended dates. She suggested a lease could incorporate free zones, to potentially aid in future requests. She also suggested waving the electrical fees associated with each event, noting if there was additional cost for the Town, parking revenues could help cover those.

Mayor Harker asked what the pleasure of the Board was when considering approval or denial of the proposed event.

Commissioner Hollinshed made a motion to approve the Music in the Park Concert Series as presented, for 29 weeks, and to waive the electrical fees associated with each date.

The motion carried unanimously.

6. Financial Advisors

Mr. Clark explained that two financial advisors made presentations to the Board at their Annual Retreat the prior week. He shared following the Harbor and Waterways Master Plan results, and after consideration of the multitude of other Town projects happening, staff realized the need to procure a financial advisor. He shared proposals from each firm the Board previously met with, Davenport and First Tryon. He noted he believed both firms would do a good job for the Town, but suggested he and staff needed more time to investigate each company, such as speaking with past and present clients. He shared it was the pleasure of the Board as to which firm, if any, they might select.

Commissioner Cooper expressed his satisfaction with both firm's presentation to the Board. He suggested Mr. Clark have an opportunity to speak with clients associated with each firm before leaning towards one or the other.

Commissioner Oliver also expressed satisfaction with both firms and thanked the management team for their work in setting up the presentations. He shared that he was in favor of hiring a financial advisor, as well as procuring a grant writer in effort to help with future projects and construction.

Commissioner Hagle commented on the potential capabilities of both firms, noting their experience in surround towns. He suggested moving forward with a financial advisor as quickly as possible.

Commissioner Terwilliger shared his favorable impression of Davenport and First Tryon, noting the Town had already benefited from their presentations. He suggested leaving the decision up to Town Staff, based on a reference check of each firm.

Commissioner Hollinshed noted one of the firms is slightly cheaper than the other, but they are asking for a three-year term. She too suggested staff quickly research each firm in terms of past and present client's satisfaction.

Mayor Harker deemed a consensus to direct the Town Manager and staff to do references checks on both proposed firms and bring a recommendation back to the

Board at a future meeting, which will also encompass a budget amendment to authorize payment for the services.

Commissioner Oliver requested the Town Manager also bring back information on obtaining a Grant Writer, or a recommended recruitment process; he explained this position would be crucial to serve the Town and in conjunction with the Capital Improvement Projects and their funding.

Manager Report

Mr. Clark provided an update on recent and upcoming events taking place in the Town of Beaufort. He shared the Board of Commissioners held a successful Annual Retreat on March 9-10, noting specific topics discussed and future goals for the Town. He shared the status of a sidewalk installation project along Live Oak Street, as well as the continued work on Cedar Street. He also shared dredging of Range 1 of Bulkhead Channel should begin in the next few weeks. He noted it was staff's anticipation to provide a full report on Oceanview Cemetery at the March Work Session, which will give the Board an opportunity to consider reopening burial plot sales. A full detailed Manager's Report can be accessed on the Town's website: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>

Mayor/Commissioner Comments

Commissioner Cooper had no comments.

Commissioner Oliver thanked the volunteers who participated on the Beaufort Harbor and Waterways Master Plan Advisory Committee.

Commissioner Hagle also noted the great work of the Beaufort Harbor and Waterways Master Plan Advisory Committee and thanked each member for their service. He commended Town staff for their work in preparing and facilitating the 2023 Board Retreat.

Commissioner Terwilliger echoed Commissioner Hagle's comments, adding there were some large numbers facing the Town per the Retreat discussions. He expressed the importance of sound budgeting in the upcoming year.

Commissioner Hollinshed thanked her fellow Commissioners for their support of the BBA's Music in the Park application request, noting the concert series brings many people into Town, as it is a family fun event. She expressed her thanks to Town Staff for a successful Board Retreat.

Mayor Harker commended the Town Manager on his hard work in preparing the 2023 Board Retreat Agenda. She shared the importance of good financial planning now and in the future, noting the Town faces many upcoming projects. She again thanked the Beaufort Harbor and Waterways Master Plan Advisory Committee.

Adjourn

Commissioner Hollinshed made a motion to adjourn the meeting at 7:05 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk