



Town of Beaufort, NC

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Board of Commissioners Regular Meeting 6:00 PM Monday, August 8, 2022 Train Depot, 614 Broad Street Beaufort, NC 28516 Minutes

Call to Order

Mayor Harker called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Mayor Harker 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 Hollinshed

Mayor Harker informed the group Commissioner Terwilliger would not be in attendance.

Commissioner Hagle made a motion to excuse Commissioner Terwilliger from the meeting.

The motion passed unanimously.

Todd Clark, Town Manager provided clarification as to why the Public Hearing regarding the CAMA Land Use Plan, originally scheduled for the August 8th Regular Meeting, had been canceled. He explained at the Board's July 14th Special Meeting, staff informed the Board that a public hearing would be helpful in terms of receiving public feedback on the plan, even though the Division of Coastal Management only requires one formal hearing to be conducted at the end of the process. The effort of the staff and Board to hold a public hearing at the current meeting would have been an added step in the process, however staff did not meet all the advertising requirements. Mr. Clark explained where the Town was in the adoption process and announced there would be a Special Meeting of the Board of

Commissioners on August 24, 2022 at 6:00 p.m., to all public feedback. The Board will then consider any changes to the plan before submitting the draft version to the Division of Coastal Management for review.

Agenda Approval

Mayor Harker asked that the agenda be rearranged to have Superintendent Dr. Rob Jackson address the Board before the Public Comment period.

Commissioner Hagle made a motion to adopt the agenda as amended.

The motion carried unanimously.

Message from Carteret County Public Schools Superintendent- Dr. Rob Jackson

Dr. Jackson expressed his appreciation to the Board of Commissioners for the partnership shared between the Carteret County Public School System and the Town of Beaufort. He noted the exceptional growth made by all Carteret County students academically, athletically, and artistically. He also conveyed gratitude to the Board for their recent approval of two additional School Resource Officer positions in Beaufort.

Public Comment

Stephen Hamilton, 610 Craven Street in Beaufort, expressed his concern for the increased traffic flow on Mulberry Street. He suggested a stop sign should be added at the end of Mulberry Street, explaining vehicles are often speeding through the area.

Doug Doubleday, 114 Crystal Pines Court in Beaufort, expressed his condolences regarding the recent passing of Doreen Warner. He shared Mrs. Warner and her husband founded Scuttlebutt Bookstore on Front Street about 30 years ago, noting what an important role she played as a business owner and citizen in the Town of Beaufort.

Charlie Deaton, 711 Broad Street in Beaufort, shared concerns regarding flooding on Broad Street. He noted the 700 block has major flooding issues, suggesting the storm drain nearby does not function properly. He explained there had been standing water in his yard and under his home several times in the month of July. He shared the Broad Street issues had plagued the neighborhood for a long time and hoped Town staff could remedy the situation moving forward.

Presentations

1. Greg Meshaw- Meeting Street

Mr. Meshaw shared a presentation that addressed drainage issues on Meeting Street. *A copy of the Power Point is attached and incorporated as part of the minutes.*

Commissioner Oliver suggested research needed to be done to determine whether or not there was an HOA that encompassed Meeting Street; and who was responsible for installing, maintaining, and operating a pump on the retention pond.

Commissioner Hollinshed agreed with Commissioner Oliver.

Commissioner Hagle said the HOA should be explored; he also noted the engineered system seemed to be designed well, and flooding would be at a minimum if the pump was utilized correctly.

Commissioner Cooper questioned how the pump functioned and where it was located.

Commissioner Oliver added that the pond level should be lowered in advance, to give the rainwater a place to flow.

Jeff Cannon, a resident of Meeting Street, spoke from the audience to express his concerns about flooding. He shared his understanding was that in previous years, Meeting Street had been removed from the HOA. He also suggested that Gary Mercer, developer, was responsible for maintaining the pond. He said the below ground pump had not worked in many years and the flooding had been an ongoing issue that is getting worse.

Items of Consent

1. Minutes

Commissioner Hagle made a motion to approve the items of consent as presented.

The motion passed unanimously.

Items for Discussion and Consideration

1. ADA Transition Plan

Harrison Wenchell, with Stewart Engineering, presented the components of the proposed ADA Transition Plan. He noted the purpose of the plan was to ensure the Town was in compliance with the Americans with Disabilities Act, and to act as a guide for the future.

A copy of the Power Point is attached and incorporated as part of the minutes.

Commissioner Oliver noted there had been public input in late 2021 concerning consideration of the blind and asked if all of those comments had been incorporated into the ADA Plan.

Mr. Wenchell confirmed the comments were in the plan, under the public involvement section.

Commissioner Oliver referenced pages 138 and 139 of the proposed plan, which lists 2021 cost for various items/projects; he asked if Mr. Wenchell felt those prices were valid now, as the report is being submitted.

Mr. Wenchell said yes; the numbers were based on the latest data provided by NCDOT to project cost estimates.

Commissioner Oliver asked about property owner responsibilities in the project cost and other options the Town could explore for funding the cost, as it was estimated to be 2.6 million dollars.

Mr. Wenchell explained they only evaluated areas within the public right of way; meaning that number should correspond to what the Town is responsible to finance. He noted NCDOT has funding that can be directly used for curb, ramp and sidewalk improvement projects; he also shared there were numerous federal grant opportunities available.

Doug Williams, also with Stewart Engineering, shared generally on the federal funding, it is 80% federal and a 20% state/local match. He added the project cost previously noted were prices as of 2020/2021, explaining NCDOT only updates their unit cost once a year and the 2022 numbers have not yet been released.

Commissioner Hollinshed asked if the area referenced in the report were tested by people who had the disability, for example someone in a wheelchair utilizing a ramp.

Mr. Wenchell explained they rely on the public involvement process and in other projects his team has done walk throughs with people who have various disabilities. He also pointed out there are federal technical requirements, which sometimes makes it a one size fits all approach.

Commissioner Hagle commended the report, noting it was thorough and indicated there was a lot of work that needed to be done. He noted the improvements and projects needed to be reviewed and included in the budget on an annual basis. He expressed his thanks to Peter Crumley, who was heavily involved in the public comment portion of the process.

Commissioner Cooper asked if there were any audible signals in Beaufort.

Mr. Wenchell said there were about eight areas identified that need push buttons, but that did not mean the audible signals were not needed or recommended.

Commissioner Hagle made a motion to adopt the ADA Transition Plan as presented.

The motion carried unanimously.

2. Voluntary Annexation Request

Ms. Lewis explained the Town received petitions for voluntary annexation from Beaufort Agihood Development, LLC. She noted the application was attached and part of the meeting packet. She shared that the first step in the annexation process is for the board to adopt a resolution directing the clerk to investigate the sufficiency of the petitions requesting annexation. The proposed resolution is listed below:

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on June 14, 2022 by the Town of Beaufort; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the Town of Beaufort deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Beaufort that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of this investigation.

Adopted this 8th day of August 2022.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk

Commissioner Hollinshed made a motion to adopt the resolution.

The motion carried unanimously.

Public Hearing

1. Case #22-17 Rezoning 1809 Live Oak from PUD to TCA

Commissioner Hollinshed made a motion to open the Public Hearing.

The motion carried unanimously.

Kyle Garner, Planning Director, explained Britt Development Co of Archdale LLC was requesting to rezone a 15.04-acre lot from PUD to TCA. He noted the surrounding property owners were notified and legal notice was advertised on July 27th and August 3rd. He also referenced the vicinity and zoning map and future land use map which were included in the meeting packet. He shared in July 2019, the Board of Commissioners approved a CAMA Map amendment to Mixed Use as well as a Rezoning to a PUD with Master Plan. The plan consisted of 54 total residential units with a proposed 12,000 square foot daycare center; a breakdown of the residential units were 17 Townhomes and 37 single-family residential lots. He noted at 15.04 acres the total number of units could be up to 180 units based on the maximum density of 12 units per acre in the TCA Zone and that a CAMA Map Amendment is not needed since the classification was changed to Mixed Use in 2019. He also noted that to the rear of the property there was a Town owned well-site.

Commissioner Hagle noted there should be some consideration for access to the well-site if the project does progress.

Arey Grady, Town Attorney, shared when the property was conveyed, the well-site was reserved along with an easement into the well-site. He explained that when the property is developed, the Town's easement will essentially shift to cover streets that become public. He confirmed it was recorded in the deed.

Mayor Harker asked if there was anyone in the public who wished to comment on the case.

Ron Cullipher, with the Cullipher Group of Morehead City, spoke on behalf of the applicant. He explained the future goal was to produce market rate Townhomes and expressed the need for the rezoning to take place before the project could move forward.

Commissioner Cooper asked for clarity on what was considered market rate.

Mr. Culliper explained it meant not subsidized.

Commissioner Hollinshed made a motion to close the Public Hearing.

The motion passed unanimously.

Commissioner Hagle made a motion to approve the rezoning request.

The motion passed unanimously.

2. Case #22-14 Rezoning of 312 Pollock Street from R-8 to TCA

Commissioner Hollinshed made a motion to open the Public Hearing.

The motion carried unanimously.

Mr. Garner explained Pollock Street Investment Partnership was requesting to rezone a .345-acre lot from R-8 to TCA. He noted surrounding property owners were notified and the legal notice was advertised on July 27th and August 3rd. He shared based on the acreage of .345, a total of 4 multi-family units would be allowed per the TCA density. He shared zoning maps of the area, which were also included in the meeting packet.

Mayor Harker asked if there was anyone in the public who wished to comment on the case.

Commissioner Cooper expressed concerns regarding additional townhomes and condominiums being built in that area, noting he would like to see residential, single-family dwellings there.

Mayor Harker asked if there was anyone in the public who wished to comment on the case.

Ron Cullipher, with the Cullipher Group of Morehead City, spoke on behalf of the applicant. He explained there was concern about commercial use in the area, that is why the request was changed to TCA. He shared the desire was to develop the area into something other than single-family homes.

Commissioner Hollinshed made a motion to close the Public Hearing.

The motion carried unanimously.

Commissioner Cooper again expressed that he would like the zoning to stay as it currently is, in efforts to keep it consistent with the other single-family dwellings on the street.

Commissioner Hagle made a motion to approve the rezoning request as presented.

The motion carried with a 3-1 vote, with Commissioner Cooper voting in opposition.

Manager Report

Todd Clark gave a brief update on upcoming meetings and events. He shared Mayor Harker was recognized during the annual North Carolina Black Elected Municipal Officials (NCBEMO) conference, where she was presented with the Dr. Vivian Burke Community Leadership Award in appreciation for her years of dedicated service in the community. He shared engineering staff had been advised that the NC Department of Environmental Quality will approve lowering the regulatory defined wastewater unit design flow for new construction within the Town. He discussed maintenance and repair items happening in the Public Utilities and Public Works departments. He announced Jack Fleeman with the Fire Department had been promoted to serve as Deputy Chief and that Beaufort Fire Station 2 was fully staffed and operational. He shared the annual community rating flood insurance report had been submitted.

Mr. Garner shared information from the North Carolina Department of Transportation on upcoming projects and funding. He explained one project will focus on the access management along Live Oak Street in Beaufort from NC 101 to Olga Road. The other project will also be on Live Oak Street in Beaufort, and the focus will be on upgrading the intersection at Lennoxville Road. Both projects are scheduled for ROW in 2027 and construction in 2029; with a total of \$63,800,000 in funding from the State for the construction.

Mayor/Commissioner Comments

Commissioner Oliver had no comments.

Commissioner Hollinshed shared a reminder that school would be starting soon and to be mindful of buses and other associated traffic. She congratulated Mayor Harker on her recent award. She also shared kind memories of Doreen Warner.

Commissioner Hagle thanked Town staff for their daily work and noted it was great to see the dredging being done at Bulkhead Channel. He offered a safety message reminder to be aware of stop signs and pedestrian traffic.

Commissioner Cooper commended the Town Manager and his staff on their hard work. He congratulated Mayor Harker on her well-deserved award. He encouraged others to participate in back-to-school fundraisers to collect school supplies for students.

Mayor Harker shared she had been welcoming several organizations to Town as they hold their events in Beaufort. She noted the Public Works Association would be holding an event in Town soon and they were planning to make a donation to the Boys and Girls Club. She discussed the successful NCBEMO Conference that was held in Beaufort.

Adjourn

Commissioner hagle made a motion to adjourn the meeting at 8:00 p.m.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk