



## **Town of Beaufort, NC**

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### **Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, April 13, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Virtual Meeting through Zoom Minutes**

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#### **Call to Order**

Mayor Newton called the meeting to order.

#### **Roll Call**

Mayor Newton called roll and declared a quorum present for the meeting.

#### **Agenda Approval**

A motion was made to approve the agenda as presented.

Motion made by Commissioner Hagle.

Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

#### **Calendar**

1. Schedule of Events for April 2020 and May 2020

Town Clerk Davis provided information regarding the cancellations of the meetings and events for the months of April and May.

#### **Public Comment**

No public comments were made.

#### **Project Updates**

Town Engineer Greg Meshaw gave an update on three projects for which work had been completed since the update during the March 2020 meeting.

Mr. Meshaw reported the construction of Randolph Johnson Park was proceeding along with the base for the asphalt parking lot being completed, piping for the splash pad has been installed and pressure tested, the concrete slab for the building and plumbing have been installed and rough grading has been completed for the playground area.

Additionally, the sewer replacement project on Professional Park Drive has been completed. When the pipe was replaced it was determined the reason for the hole in the sewer pipe was due to a Duke Energy conduit directly under the piping. Mr. Meshaw reported the town was looking for Duke Energy to pay for the cost of the repair.

Regarding the streets project, Mr. Meshaw indicated the Local Government Commission (LGC) had approved the financing and the contract had been delivered to Thomas Simpson Construction for execution. He reported work on paving could possibly begin sometime in June.

### **Manager Report**

Town Manager Day indicated he wanted to thank all staff for their dedication and hard work through all the COVID-19 event. He reported the entry pass process had been working well and additional passes were being issued for those with valid reasons to need entry into the town. He did report there had been some denials.

Commissioner Hollinshed asked for the board members to be able to see a listing of denials.

Commissioner Harker asked if there had been any tracking of the financial impact this event was having on the town.

Commissioner Carter commended the staff for hard work.

### **Items of Consent**

A motion was made to approve all the Items of Consent with the exception of Item 7 Residential Solid Waste Fee Increase which was to be moved to the Items for Discussion and Consideration.

Motion made by Commissioner Hagle.

Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

1. Draft Minutes of the March 9, 2020 Regular Meeting
2. Voluntary Annexation Request for Old Seaport Development, LLC (153 Aqua 10 Road and 103 Aqua 10 Road) Doug Brady
3. FY 20 Audit Contract
4. FY 21 Budget Calendar
5. Adoption of Carteret County Emergency Operations Plan
6. FY 20 Budget Amendment #10
7. Crystal Coast Half Booty Triathlon

### **Public Hearing**

1. Case No. 20-01: Zoning Map Update & Request to Rezone 16 Parcels

Town Planner Kate Allen reported the request was to rezone 16 parcels within the town limits in order to be consistent with the CAMA Land Use Plan. Ms. Allen reported the properties will be

rezoned to TR (Transitional) except for those located on West Beaufort Road which will be rezoned to R-20 and the Rachel Carson Reserve which will be zoned OS (Open Space).

In response to a question from Commissioner Hagle regarding the Beaufort Historic Grounds, Ms. Allen reported the rezoning was due to a current split zoning situation. Commissioner McDonald asked what the differences would be when changing the zoning that could not be done with the current zoning. Ms. Allen reported the requested zoning would become more restrictive. Commissioner Hagle indicated the new zoning would be more appropriate. Ms. Allen indicated some of the properties would now be conforming where they were not so before. Ms. Allen also stated a split zoning makes it harder for planning and inspections; and the rezoning would have no impact on easements as asked by Commissioner McDonald.

Town Manager Day commented the split zoning may not make the property usable depending on what the owner would like to do with the property. Commissioner Hagle commented the rezoning cleans up the zoning and makes the property more valuable. Commissioner McDonald commented he understood that, but he was looking at making plans for property more doable.

Commissioner Harker asked if any of the property owners had expressed concerns over the proposed rezoning. Ms. Allen indicated Assistant County Manager Gene Foxworth asked for different requirements because of an anticipated project. Commissioner Harker asked about impacts of conforming structures to which Ms. Allen responded the rezoning would not impact current structures and would not create any additional non-conforming situations. Commissioner McDonald asked specifically what the county wanted. Ms. Allen indicated they had requested reduced setbacks.

Commissioner McDonald stated the town needed to have a vision of what we want to do when items such as this are brought before the board for consideration. Commissioner Carter asked what was meant by future land use plan and consistency. Ms. Allen indicated the comment eluded to the future land use map. Commissioner McDonald expressed concern the owners of the property were not even at the workshop to make comments and that the board did not know all of the information until this meeting. Town Manager Day indicated this was not being done to help make something happen, but it was just a technical process to get some properties cleaned up and to meet the future land use map.

Commissioner Hagle made a motion to open the public hearing. The vote was unanimous. No public comments were made. Commissioner Carter made a motion to close the public hearing. The vote was unanimous.

Commissioner McDonald asked again why the county was not in agreement with the proposed rezoning. Ms. Allen responded the county representative attended the first meeting and spoke about the setbacks and the potential for a new jail on the property. She indicated the representative did not attend the second meeting. Town Manager Day indicated by moving the setbacks buildings can be put closer to the property line. Commissioner McDonald indicated if the citizens knew more about what was being built in the community that will bring in no revenue more comments may be made. He further commented the county should build office space and move the jail outside of the town limits. Ms. Allen stated the existing zoning does not have bearing on if a jail could be built. Town Manager Day indicated the county already has the right to expand the jail.

A motion was made to approve the proposed rezoning for the sixteen parcels as presented.

Motion made by Commissioner Hagle.

Voting Yea: Commissioner Harker, Commissioner Carter, Commissioner Hollinshed,  
Commissioner Hagle

Voting Nay: Commissioner McDonald

## **Items for Discussion and Consideration**

1. Purchase of Ladder Truck for Fire Department

Town Manager Day reported Fire Chief Ray had discussed the need to a new ladder truck during the annual board retreat as well as a recent work session. He indicated financing could be obtained from BB&T/Truist for a 15-year term at 2.19%. He indicated Chief Ray and the Fire Department staff had identified and tested a ladder truck. Town Manager Day reported the truck was considered rolling stock. He asked the board members to please consider approving a budget amendment not to exceed \$1.1 million and to approve the financing resolution.

In response to a question from Commissioner Hagle, Chief Ray indicated the fire insurance rating should improve some for properties in the fire district.

Chief Ray indicated the staff had tested the 107' ladder 750-pound bucket weight during a recent demonstration provided by the vendor. He indicated benchmarks such as the Beaufort Hotel and the Duke Marine Lab were used to verify the reach of the ladder truck. In response to a question from Commissioner McDonald, Chief Ray indicated buildings all over town were also used as benchmarks and not just ones in the downtown area.

Commissioner Carter asked about the ability of reach to the water side of buildings located on the south side of Front Street. Chief Ray indicated from the corner of the buildings, the reach will be greater and be able to cover more of the building.

Commissioner McDonald indicated he was not against getting the new truck, but he was against citizens not knowing or understanding the truck was for use in all areas of town and not just for certain areas.

Commissioner Hagle asked about the impact to the future budget. Town Manager Day indicated it would be under 1 cent on the current tax rate.

In response to a question from Commissioner Hollinshed, Chief Ray indicated the tactic to fighting a fire is determined by the fire and the location of the fire in the building.

Commissioner Harker indicated Chief Ray had done a good job of identifying the need for this type of truck. She also commented the donated truck had been costly for the maintenance. Chief Ray indicated it would cost the town to bring the current ladder up to certification prior to being able to sell. Commissioner Harker also commented by getting a rolling stock truck it saved time. Chief Ray indicated it would also be saving some money.

A motion was made to approve the financing resolution and the budget amendment as presented.

Motion made by Commissioner Carter.

Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

## 2. BDA Funding Request

Town Manager Day indicated the request was for \$7500 for a marketing campaign by the Beaufort Development Association (BDA). Event Coordinator, Rachel Johnson indicated the request would be considered as a grant from the town.

A motion was made to approve the budget amendment for \$7500 to support the marketing campaign by the BDA.

Motion made by Commissioner Hagle.

Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

## 3. Residential Solid Waste Fee Increase

Commissioner McDonald indicated citizens cannot continue to afford increases in utility billing. Mayor Newton indicated there would be implications if the town violated the contract. Town Manager Day indicated the contract could be paid out or money found elsewhere to absorb the \$15K cost. Commissioner Harker indicated that would be what was being done before by

subsidizing through property tax revenue. Commissioner Hagle indicated the cost increase was in the contract when approved by the board and not honoring could cost more in legal fees.

Town Attorney Arey Grady agreed with comments that it was part of the contract and whether the town votes to approve the increase or not approve the contract is binding and nothing can be done at this point. Commissioner McDonald asked if the contract could be changed. Town Attorney Grady indicated there was no good reason to terminate the contract. By doing so, there would be an open liability to all citizens.

Commissioner Hollinshed indicated she did not want to buy garbage trucks. Commissioner Harker indicated the board new the increase was in the contract when signed and that subsidizing trash collection would be a step backwards.

A motion was to approve the price increase as presented.

Motion made by Commissioner Carter.

Voting Yea: Commissioner Harker, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

Voting Nay: Commissioner McDonald

### **Mayor/Commission Comments**

Commissioner Hagle thanked staff for the extra work during this pandemic. He also thanked all health care workers and citizens for abiding by the guidelines. His safety message was that steps had been taken as an imperfect response to a misunderstood threat. In closing, he commented the board should begin thinking about the restart of the town when the time comes.

Commissioner Hollinshed asked the Mayor to do a PSA on golf carts and bicycles and the rules they must obey. She asked for the discussion on the restart approach to be discussed at the next work session.

Commissioner McDonald referred to the April 7, 2020 email and indicated it saddened him about the way some of the fellow commissioners were thinking about items being discussed. He asked did the board not have the rights to make decisions. He expressed concern over a comment to not provide the current owners of a property a stay of execution. Mayor Newton asked Commissioner McDonald to please stop his comments and the personal attack he was making on another board member. He continued by saying Commissioner McDonald had agreed to recuse himself from any discussions on the matter.

Commissioner Harker thanked the staff for the job they were doing. She indicated we were all diamonds being made under the pressure of the uncertain times. She thanked the community for how they have handled the rules whether they agreed or not. She further commented great deeds and acts of kindness were being done in every community. She thanked Town Manager Day and his wife Christy Shi-Day for their leadership and technical abilities with getting everything set up for meetings. She also thanked those in the community such as Heather Walker for making masks for health care workers. In closing, she thanked the Mayor and fellow board members for their support.

Commissioner Carter indicated she agreed with the News-Times editorial that time will be the judge as far as the COVID-19 response. She complimented town staff for their hard work during this time.

Mayor Newton thanked the medical professionals for their dedication and service. He thanked the town staff for keeping measures going. He also thanked the Duke Marine Lab for the free face shields. He indicating the things keeping him awake at night were the virus and not knowing how much was around the community, the business community, the hunger issues and the outcome after the end of these uncertain times.

### **Adjourn**

A motion was made to adjourn the meeting

Motion made by Commissioner Hollinshed.

Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

The meeting adjourned at 7:30 pm.

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Mayor Everette S. (Rett) Newton

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Michele Davis, Town Clerk