



## **Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - [www.beaufortnc.org](http://www.beaufortnc.org)

### **Board of Commissioners Regular Meeting 6:00 PM Monday, November 14, 2022 Train Depot, 614 Broad Street Beaufort, NC 28516 Minutes**

---

#### **Call to Order**

Mayor Sharon 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**

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

The motion carried unanimously.

#### **Public Comment**

Marjorie Rawson, 900 Cedar Street in Beaufort, spoke on the proposed Comprehensive and CAMA Land Use Plan. She shared numerous individuals had emailed the Commissioners expressing their support of the proposed CAMA Plan, requesting it be passed as is, with the Non-Intensification Zone (NIZ) intact. Of those individuals who sent emails, she shared several were landowners within the NIZ, and pointed out there were not any critical comments regarding the proposed plan.

Heather Walker, 1013 Cedar Street in Beaufort, spoke regarding housing issues in Beaufort. She suggested it would be a good time to look into returning the properties that were taken by eminent domain from certain families, without just compensation. She noted that giving those families an opportunity to recreate generations of wealth, that was once a reality for them, would initiate an effort to tackle the affordable housing crisis. Ms. Walker also spoke about Oceanview Cemetery, expressing her concern of its current state, noting it deserved respect and needs more than repaired walls and new paint. She suggested there are currently issues with boundary lines, and shared background information regarding previous property owners and land disputes in the area.

### **Items of Consent**

1. Minutes- October 10th & 24th

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

The motion carried unanimously.

### **Items for Discussion and Consideration**

1. Sewer Allocation Request- Proposed Salt Wynd Preserve Subdivision, Phase 2

Greg Meshaw, Town Engineer, presented the request. He explained Beaufort Agrihood Development, LLC was requesting that 6,900 gallons per day (gpd) of sewer capacity be allocated to the second phase of the residential subdivision to be known as Salt Wynd Preserve. The capacity being requested is for 36 lots with 29 of those lots being for 3-bedroom houses and the remaining 7 lots being for 4-bedroom houses. He noted the allocation request is being brought forth by Town staff subsequent to approval of the preliminary plat for Phase 2 by the Planning Board during the September 19, 2022 regular meeting. Town staff is also bringing the allocation request forward following to the approval of the annexation petition for phase 2 by the Board of Commissioners.

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

The motion carried unanimously.

2. Triathlon Event Request

Rachel Johnson, Parks & Events Coordinator/PIO/Deputy Clerk, presented an event request for the 3rd Annual Crystal Coast Half Booty Triathlon on Saturday, May 13, 2023. She reviewed the application submitted by organizers Kazem Yahyapour and Steve Tulevech, highlighting event routes and road closures. She also shared Town staff had internally reviewed notes from the previous year's event and noted a list of concerns.

Commissioner Hagle made a motion to approve the event request, provided the event coordinator addresses the issues noted by Town of Beaufort Staff and other entities involved, and come back to the Board with a report at the January 2023 meeting.

The motion carried unanimously.

3. Oceanview Cemetery

Todd Clark, Town Manager, asked the Board for direction on Oceanview Cemetery improvements, a continued conversation from the previous Work Session Meeting.

Commissioner Hollinshed suggested the Town consider a columbarium be added in the future.

Commissioner Terwilliger shared the improvements should be made, and it would be a multiple step process. He noted he thought the benches could be percurried by asking for donations.

Commissioner Hagle suggested the tilted walls also be considered for repair in the future.

Commissioner Oliver suggested they find an effective way to receive community input. He also noted the capacity questions needed to be addressed.

Mr. Clark shared staff had discussion repairing the tilted walls but noted quotes had not yet been obtained. He also confirmed staff was working to obtain the number of open burial sites.

Commissioner Cooper suggested looking for outside funds, such as State and Federal grants, to help fund the cemetery repairs and possibly designated it as a historical site.

Commissioner Hollinshed requested that staff make the entry portals larger, as vehicle sizes have increased over the years.

Mayor Harker suggested staff explore ideas regarding citizen involvement of the cemetery, possibly through surveys or other avenues.

Commissioner Cooper made a motion to move forward with a Budget Amendment for the cemetery improvements suggested by staff, specifically noting the following: JV Painting- \$15,500 (cemetery wall); Robert George- \$8,240 (block work & sign placement); Public Works \$16,000 (small gravel for roadways within cemetery); with the exception of the benches at this time.

The motion carried unanimously.

4. Voluntary Annexation (Blue Treasure, LLC); Certificate of Sufficiency & Fixing a Public Hearing Date

Ms. Lewis presented the following Certificate of Sufficiency:

I, Elizabeth Lewis, Town of Beaufort Clerk, do hereby certify that I have investigated the attached petitions and hereby make the following findings:

a) The petitions for Voluntary Annexation of the following parcels: 185 Freedom Park Road, 187 Freedom Park Road, 189 Freedom Park Road, 243 Leonda Drive and 249 Leonda Drive; Totaling 0.992 acres, contains an adequate boundary of requested area to be annexed, via the survey map.

b) The area described in the petitions is contiguous to the Town of Beaufort primary corporate limits, as defined by G.S. 160A- 31.

c) The petitions are signed by the owners of referenced parcels above and include addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Beaufort of Carteret County, this 14th day of November 2022.

Commissioner Terwilliger asked if the request was to complete the Beau Coast subdivision at the current density levels, based on the submitted development plans.

Ms. Lewis confirmed the request was not to add more houses or more density to the development.

Commissioner Hagle asked for clarification on 243 Leonda Drive regarding sewer.

Ms. Lewis explained 243 Leonda Drive would require sewer allocation, because it was currently zoned R-20.

Mr. Meshaw confirmed the other four lots in question had been factored into the sewer allocation.

Commissioner Hagle made a motion to approve the Certificate of Sufficiency and set a Public Hearing date for December 12, 2022, on the question of annexation of the properties discussed.

The motion carried unanimously.

5. Human Resources- Amendments to Personnel Policy

Barbara Cooper, Human Resources Manager, explained staff was requesting approval to amend the current Town of Beaufort Personnel Policy. The amendments would include inserting a telecommuting policy and making adjustments to the drug testing portion of the policy. She explained verbiage addressing random drug test was left out when rewriting the overall policy several months prior, and it needs to be inserted in the drug/alcohol section of the policy.

Commissioner Hollinshed shared she felt all employees be subject to random drug testing, including administrative personnel.

Commissioner Terwilliger questioned whether the terms "company" and "customer" should be used in the second to last paragraph of the telecommuting policy. He suggested replacing those terms with the word "government".

Commissioner Hagle expressed his concern with the following statement within the random drug testing policy: "employees who regularly drive town vehicles". He suggested it was vague and also felt all employees should be randomly drug tested.

Commissioner Oliver suggested removing the term, "regularly" from the proposed random drug test policy.

Commissioner Cooper commented due to the expense of drug testing, he felt that only Fire, EMS, Police, and others who were driving town vehicles should be randomly tested for safety purposes.

Commissioner Oliver asked for clarification on all employees having an accident.

Ms. Cooper confirmed all employees would be tested after an accident; administrative staff included. She noted in preparing these documents, staff tried to follow the guidelines of other local and state governments, sharing they do not randomly test their administrative personnel.

Commissioner Cooper made a motion to approve the changes as presented by Ms. Cooper.

Voting Yea: Commissioner Cooper, Commissioner Terwilliger

Voting Nay: Commissioner Oliver, Commissioner Hagle, Commissioner Hollinshed

The motion was denied on a 3-2 vote.

Commissioner Hollinshed made a suggestion to remove, "with the exception of", to include administrative personnel in the random drug testing process.

Commissioner Terwilliger echoed Commissioner Cooper's concerns on the cost and management perspective associated with drug testing all employees randomly. He suggested Ms. Cooper come back to the Board with an estimated cost associated with the drug testing process.

Commissioner Hollinshed noted she would like to know the cost as it is written, verses the cost of including one or two administrative personnel random tests per year.

Commissioner Terwilliger made a motion to authorize Ms. Cooper to gather data concerning cost estimates for testing all Town of Beaufort personnel; including cost estimates for each drug test, employee lost time, management of the program, and anything else deemed relevant by Human Resources.

The motion carried unanimously.

Mr. Clark noted the telecommuting policy could be considered at a later day, as they were both presented together.

## 6. Setting Date to Conduct Manager Evaluation

Mayor Harker explained that the performance evaluation of the Town Manager was a function of the Board of Commissioners. She noted a meeting date needed to be set to conduct the task.

The Board of Commissioners reached a consensus to deem December 8th at 3:00 pm an accessible meeting time for the Town Manager's evaluation.

Mayor Harker noted it would require a closed session, and the November 28th Work Session Meeting could be recessed to complete that task.

## Public Hearing

### 1. Rezoning of 243 Leonda Drive from R-20 to RS-5.

Commissioner Terwilliger made a motion to open the Public Hearing.

The motion carried unanimously.

Sam Burdick, Town Planner, presented Case #22-18, a rezoning request at 243 Leonda Drive. She explained the request was to rezone the lot from R-20 to RS-5, noting the following points:

- Property is 0.223 acres (9,713 ft.<sup>2</sup>), currently zoned R-20
- Existing non-conforming lot as it does not meet minimum lot size
- Vacant, previously a mobile home lot
- Property in the ETJ; Town Clerk has received application for annexation. If approved, the property would have water/sewer access
- Density of the zoning request is consistent with the adjacent Planned Unit Development
- RS-5 District has a maximum impervious surface coverage of 50%
- The property would meet the R-8 Medium Density Residential District minimum lot size of 8,000 square feet. However, there is no impervious surface requirement associated with the R-8 zoning district.
- Adjacent property owners within 100' notified via mail; Carteret News Times ad ran 11/2 and 11/9
- Planning Board recommend approval as requested on October 17, 2022
- This lot is not part of the Beaufort East Village PUD

Commissioner Oliver asked if the lot were zoned RS-5, could it be further divided.

Ms. Burdick said it could not.

Mayor Harker asked if anyone from the public wished to speak on Case # 22-18.

There were no comments.

Commissioner Hollinshed made a motion to close the Public Hearing.

The motion carried unanimously.

Commissioner Hagle made a motion to approve the rezoning of 243 Leonda Drive from R-20 to RS-5.

The motion carried unanimously.

## Manager Report

Mr. Clark shared that Beaufort had received accolades, as it was named to Travel & Leisure's 25 Best Christmas Towns in the USA. He also noted the Town had been awarded a \$195,000 grant from the Division of Water Resources for the Cedar Street Project. He shared other Beaufort highlights and upcoming events; please note, a full detailed Manager's Report can be accessed at <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>

## **Mayor/Commissioner Comments**

Commissioner Hollinshed and Commissioner Terwilliger wished everyone a safe and Happy Thanksgiving.

Commissioner Hagle shared he was happy to recently help coordinate the Chamber of Commerce Leadership Program for Beaufort Day. He noted he was glad to see improvements beginning at Oceanview Cemetery, as it is a major part of Beaufort's history. He thanked Town employees for their hard work and offered a safety message regarding daylight savings time.

Commissioner Oliver commented on Oceanview Cemetery, noting the significance to the community, and the attention it deserved.

Commissioner Cooper shared that he was recently able to attend the North Carolina Beach Inlet & Waterway Annual Conference, noting it was very informative. He also discussed the proposed Comprehensive and CAMA Land Use Plan, sharing he was ready to see it move forward.

Mayor Harker spoke about the positive outcomes associated with the Leadership Carteret Program. She encouraged others to participate in food drives if they had the capacity to give during the holiday season. She ended by wishing all Beaufort citizens and staff a Happy Thanksgiving.

## **Closed Session**

1. Pursuant to NCGS 143-318.11 (a) (4)

Commissioner Hagle made a motion to enter closed session, pursuant to NCGS 143-318.11 (a) (4).

The motion carried unanimously.

## **Adjourn**

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

The motion carried unanimously.

---

Sharon Harker, Mayor

---

Elizabeth Lewis, Town Clerk