



Town of Beaufort, NC

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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, December 13, 2021 - Zoom due to the COVID-19 Pandemic Minutes

Call to Order

Mayor Harker called the meeting to order at 6:00 PM

Roll Call

Elizabeth Lewis, Town Clerk, called the role.

PRESENT:

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

Agenda Approval

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

Voting Yea: Commissioner Hagle, Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Terwilliger

The motion passed unanimously.

Manager Report

John Day, Town Manager, shared that he and key staff members attended a two-day diversity, equity and inclusion learning retreat that was very worthwhile and informative. He also mentioned Mayor Harker had been in contact with the instructors and it would be beneficial for the new board to participate in a similar course. Mr. Day also recognized Brian Beck, Fire Captain, as he was honored at a "Hometown Hero" luncheon on December 7th in Raleigh, NC. The Hometown Heroes Program is organized through the North Carolina Automobile Dealers Association to recognize first responders. Mr. Day elaborated by characterizing Mr. Beck as an excellent employee, who was a dedicated fire fighter and a real asset to the Town of Beaufort.

Public Comment

There was none.

Items of Consent

1. Minutes- October 25 & November 8, 2021
2. Lions Club Bridge Run 2022

Commissioner Oliver pointed out there were a few minor corrections that needed to be made to the October 25, 2021 minutes, these corrections were noted as a missing commissioner name in a motion on page four and a change to a word used on page seventeen.

Mayor Harker asked for a motion to approve the consent items, including corrections to the minutes on page four and seventeen.

Commissioner Hagle made a motion to approve the consent items with the corrections to the minutes.

Voting Yea: Commissioner Hagle, Commissioner Hollinshed, Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver

The motion passed unanimously.

Items for Discussion and Consideration

1. Returning to In-Person Meetings

Mayor Harker reported the recent covid numbers in Carteret County and initiated the discussion by asking the board their thoughts on the matter of returning to in-person meetings.

Commissioner Hagle suggested one of the January meetings as a return date, depending on the hybrid IT equipment. He asked Mr. Day if there was any update on that equipment.

Mr. Day said they had reached out but have not heard back yet, assuming it is on schedule for the end of December as they suggested.

Commissioner Hagle said he hoped to have it by the January work session and suggested holding those meetings at the Train Depot as well.

Commissioner Hollinshed agreed the conference room at Town Hall was too small for comfort and meetings should not be held there. She said she was okay with returning to the depot in January, unless there was a bump in cases after the holidays.

Commissioner Terwilliger agreed with the other comments thus far and suggested targeting January as a return window. He said the recent swearing in ceremony was successful and noted people were feeling more comfortable gathering, as long as there was the ability to distance. He agreed that the Train Depot would be an ideal place to meet; adding, with three new commissioners and a new mayor, it is important to build a bond as a group moving forward and that would be more feasible to do in person. He said he would be in favor of starting to meet in-person in January, assuming nothing degrades between now and then.

Commissioner Cooper agreed with Commissioner Terwilliger and said that people need to see them in their new roles; he would be happy to start meeting in-person sometime in January.

Commissioner Oliver said he was of the same vein; the sooner the better, the stronger.

Mayor Harker confirmed there was a consensus to aim for returning in-person at the January meeting, and suggested they discuss it again at the December work session.

2. Delinquent Utility Accounts

Mr. Day explained that early in the pandemic there was an executive order that enacted a prohibition on utility disconnections for non-payment, the order has expired, but Beaufort,

like nearly all local governments, continued to honor it. He said, currently there are 120 accounts that are about \$99,000 past due. American Recovery Plan Act (ARPA) funds may be used to alleviate all or part of the past due amounts. The Town has great flexibility in structuring payment plans for past due accounts. At the November 22 Work Session, the Board decided by consensus to consider the creation of a utility assistance grant program similar to that used in Durham for those with delinquent accounts; information regarding the Durham program is attached for the Board's consideration. He said the Board also directed staff to re-establish collection efforts and implementing payment plans with those who have delinquent accounts in January. The Town newsletter listed a request for folks who are behind to call and set up some kind of payment plan. Mr. Day added that there was a recent press release from the North Carolina Department of Health and Human Services announcing a new program that is funded with American Recovery Plan Funds, to provide utility assistance to low-income households. He explained that those people who are receiving public assistance are automatically enrolled into this program and the Town has been in touch with Carteret County DSS regarding; others who income is 150% of poverty level are also eligible to apply for the program beginning in January. The program does not state clearly how many funds are available, staff is asking for direction, whether or not that be an additional program that goes beyond the one announced by NCDHH. Mr. Day suggested waiting to find out exactly how much is available through the program, so the Town will know how much it would offset the delinquent accounts. He said if there is a need for the Town to adopt its own program, one easy way to do it might be to pick up what those remaining delinquent amounts are through the funding the Town has available through the American Recovery Plan; this would make it simple, rather than going through the application process. Mr. Day said he was available to answer questions, as well as Christi Wood, Finance Director.

Mayor Harker thanked Mr. Day and asked to hear from the board members, in hopes to provide a little guidance on the situation.

Commissioner Hagle said he did some research on the State program discussed and found that North Carolina had \$39 million dollars to work with; he said it sounded like a good program and reiterated that each county's Department of Social Services will be the administrator of the funds. He said he listened to a podcast earlier that explained the details of the program, and while it is unclear on how far the funds will go, but he liked the idea of the program and thought it would be very helpful.

Commissioner Hollinshed said she tended to agree with some of that but wanted to dig a little deeper. She said she wanted to know what the amounts were of each account and when these people were notified to go through DSS, there be an order to disconnect associated with it, as it is a critical piece in order to qualify for the program. She said she would also like to know if these were property owners, renters, etc., because there are different programs out there and the background would be nice to know. She said often these programs are not sure where they are, and it is good until the money runs out. She added solid waste component to the discussion, as trash pickup is associated with the utility bill. She pointed out those portions of the bill could have been unpaid as well but are not part of the utility usage. She said in her opinion, the Town of Beaufort having a plan would be the last resort and the State money available through DSS should be used first. She also questioned the businesses and their role in the delinquent account totals, as it seems the plans only address individuals.

Commissioner Terwilliger said he agreed with a lot of the questions asked but had a couple of additional ones. He said he believed they needed some additional details and a

breakdown of what comprised the 120 accounts and \$99,000 past due. He said he assumed the \$99,000 is continuing to grow and questioned at what rate it was growing, as it would be interesting to know how much was being added to the total on a monthly basis. He asked if the Town had an internal process for people to use if they run into financial hardships and need assistance from the Town; if not, he suggested that there be one established. He added it would help them understand who was having problems, why they were struggling and act as a basis to facilitate informed decisions. He said he did not feel there was enough information to make a decision right now, but he did not want his words to be misconstrued as he did not want to help. He said he believed they should help everybody who needs it, but it needs to be done in a controlled, organized and factual way so it can be explained to others who question the process.

Commissioner Cooper said he agreed that more information may be needed, but if there is the capability to assist our citizens, we need to move forward in that direction.

Commissioner Oliver said the biggest gap he had right now was the need for more data; he said his greatest fear was some of the non-payments may be more indicative of high sewer rates than COVID. He said that in his opinion, water and sewer are essential services to all of our users, trash likewise is an essential service, despite it being reported in the general fund. He said at this time, he did not personally have enough data to make a recommendation or a decision; he specifically noted additional information that would be helpful. He said he would like to know what the existing Town of Beaufort collection, deposit, payment, and who the responsible parties or account holders are...additionally, he requested to have a source of the order that overrode the original Town of Beaufort collection policy, with information such as what date it was implemented and rescinded. He said most importantly, he would like to get a breakdown between residential and commercial users, and an age reporting of any account that is past due, with the date that the order was implemented and the date when it was rescinded, as of 12/31/21- the end of the year. He said if they have that data, he believed they could get a better feel of why it occurred, what can be done to help, how much of it was COVID, how much of it may have existed even before the order for non-disconnect was issued; the biggest thing he would like to see, even before deciding how it is financed, is enough data that allows them to provide a good recommendation in the particular subject.

Commissioner Hagle said to start with, it is important to inform those who have delinquent accounts of the State program and the funds that are going to be available through the Department of Social Services in the County. He said he agreed, they do need more information, but suggested starting the process to help those through DSS if possible.

Commissioner Cooper said he knew that right now, DSS is going through the process, in terms of vetting their clients on the electric bill; will this be an additional burden on them, to be vetting people for our past due water bills?

Commissioner Hagle said they have been tasked to do that, and it is the same program the electric services are funded too, same group.

Mr. Day said just for clarity, the State is requiring the DSS offices to automatically enroll anyone who is receiving public assistance; so, they have already been in contact with the Town and the Town is providing them with the information they need in order to start addressing the past due utilities for those already enrolled in public assistance programs.

Commissioner Hagle asked if that included all the people in arrears?

Mr. Day said he had no idea of how many people who are in arrears or on public assistance.

Commissioner Oliver said I think it is separate.

Mr. Day said right, so that is not being taken care of at the individual level, rather than the organizational level; working directly to provide account information to DSS allowing them to work through that. As we discussed earlier, those who are not enrolled into public assistance will have to apply through the program beginning in January. He added that they do not track who has a rental property, who is a renter, and who is an owner; there is actually some prohibitions against asking people if they have rental property, that came down the legislator years ago. He said there are also privacy considerations that are statutory for utility accounts, only limited information can be given out, certainly nothing that is identifying any individuals. He suggested the easiest way to address the number of questions that have been asked would be to have each Commissioner email their specific questions to the Town Clerk, Elizabeth Lewis, so that they can be compiled and addressed by staff.

Commissioner Hollinshed asked if it had been rescinded.

Mr. Day said the last discussion the board had about this, staff was told not to do any cutoffs until January, not to even consider it until after that, and to first try and get people to work out payment plans; if there is a payment plan, we don't do cutoffs. He said that was the last direction that staff got, no cutoffs in December.

Commissioner Hollinshed said those were two different things; a cutoff versus rescinding the motion that was made to start it. She said you can stop it, but definitely not cut somebody off high and dry.

Mr. Day, right.

Mayor Harker said it sounded like they needed to have further discussion on the topic; is there a consensus for the Town to start working with NCDHHS program, to ensure citizens have that information? Also, we will get our questions answered once you email those. Do I have a consensus to start with that?

Commissioner Oliver said one thing he would like to point out, and Commissioner Terwilliger touched on it, in each of these cases, the Towns have gone to their county to tie into DSS or the system. He said he thought they needed to be mindful of that and consistent with it.

Mayor Harker said with that, we will let the Town go ahead and answer the questions that you will email, to get all the information needed to make a better decision on this. She asked to go around to make sure there was a consensus among the group.

Commissioner Hagle agreed but said he thought the focus should be on the DSS program first and then they will be able to see how many people have not been helped and go from there. He confirmed with Mr. Day regarding whether or not they would be able to know that.

Mr. Day said they had not yet heard back from the individual they are working with at DSS but assured them there would be an opportunity to follow up and find out how many folks

have been and will be able to receive help, and to what extent, because they will have to send the Town the money.

Commissioner Hollinshed said yes, that was the summation of her former comments, starting with DSS first to see where they were.

Commissioner Terwilliger had no further comments, and said he believed they were on the right track.

Commissioner Cooper had no further comments.

Commissioner Oliver had no further comments.

Mayor Harker asked Mr. Day if he thought he had all the information they needed with that.

Mr. Day said if they followed up with the emails, then yes.

Public Hearing

1. Case # 21-25 Staff Initiated Rezoning Eastern Avenue from TCA to B-1

Kyle Garner, Planning Director, presented the case and said that it was a staff-initiated rezoning. He explained this case came about after one of the property owners was reviewing some information regarding a rezoning that took place in 1998 and found that it was not consistent with the zoning map. Included in your packet, are the actual applications where those requests were made; staff went through Town attorney who recommended going through the entire process, rather than just cleaning up the map alone. Mr. Garner informed the group the item went to the Planning Board's November meeting and there were no public comments, and the Planning Board unanimously recommended approval of the request. Mr. Garner explained where the properties were located on Eastern Avenue, by explaining the vicinity map in the packet. He also referenced the past Zoning maps that were also included in the board's packet and noted the potential corrections to the map. Mr. Garner said he would be happy to answer any questions from the board.

Mayor Harker asked for a motion to go into Public Hearing.

Commissioner Hagle made the motion.

Voting Yea: Commissioner Hagle, Commissioner Hollinshed, Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver

The motion passed unanimously.

Mayor Harker asked Ms. Lewis if there was anybody signed up to speak during the Public Hearing.

Ms. Lewis said there was not.

Mayor Harker asked for a motion to close Public Hearing.

Commissioner Hollinshed made the motion.

Voting Yea: Commissioner Hagle, Commissioner Hollinshed, Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver

The motion passed unanimously.

Mayor Harker asked if the board had any questions.

Commissioner Hagle had no questions and said it was really just cleaning up an old issue.

Commissioner Hollinshed had no questions.

Commissioner Terwilliger had no questions.

Commissioner Cooper had no questions.

Commissioner Oliver had no questions.

Mayor Harker said in the case of 21-25, what is the pleasure of the board?

Commissioner Hagle said he moved approval of the case as presented.

Mayor Harker said there was a motion on the table, now they will go around and vote.

Voting Yea: Commissioner Hagle, Commissioner Hollinshed, Commissioner Terwilliger, Commissioner Cooper, Commissioner Oliver.

Mayor Harker confirmed that the motion to approve the ordinance had been carried.

Mayor/Commissioner Comments

Commissioner Hagle thanked the staff for the services they provide throughout the year. He welcomed the new Commissioners and said he certainly looked forward to working with them in the coming months; he hopes they have as much fun as him in their roles. He also thanked all those who have been working to get the minutes up to date and said he hoped they would put a system in place so that it wasn't an issue again. He said thank you to staff and everyone who made the Christmas parade possible; it was a great day and beautiful weather for all those who watched and participated. He ended with a safety message: focus on your driving in a very sober way; do not drive under the influence as many do during this time of year. He also gave Happy Holiday wishes to all and reminded them to share blessings with others when possible.

Commissioner Hollinshed also welcomed the new Commissioners and said she would enjoy working with them. She also thanked Mr. Day for his service to the Town and wished him well in his retirement. She congratulated Brian Beck and gave well wishes to all staff members. She ended by discussing the major tornados that hit Kentucky and emphasized the importance of being resilient locally, in a human way, during major impacts such as a hurricane. She also wished everyone a Merry Christmas.

Commissioner Terwilliger thanked his fellow Commissioners for the warm welcome in joining the board, and said he too looks forward to working with everyone to have a productive 2022. He said he would like to echo what Commissioner Hagle said, by stating that he thought the folks in Town work really hard. He said, I don't think they get nearly the recognition they should, so I would like to personally say thank you. He said staff has gone over and above on a few things in his part of Town, which was very much appreciated. He also thanked staff in the Town Hall for their daily help when he questioned were asked or information was needed. He too wished Mr. Day a fun, relaxing and long retirement. He ended by stating that the Town was a lot of fun during the candlelight tour, there was a great turn out, and hopefully it was a sign of returning to some type of normalcy...Merry Christmas and Happy Holidays over the next few weeks.

Commissioner Cooper said he had spent time with Mr. Day and some of the staff in Town Hall; he saw the Town is in very capable hands, complimenting the employees. He wished Mr. Day an enjoyable retirement. He also reminded the board they were all stewards, and they have the responsibility of overseeing protection and

preservation in the Town of Beaufort, as the citizens have elected them to do so. He ended by wishing Happy Holidays to everyone.

Commissioner Oliver said the effort from the entire staff has been particularly clear to him during this transition of joining the board; everyone has gotten materials out properly, efficiently, courteously and he is thankful for that and for how blessed we all are; he concluded and thanked the Mayor.

Mayor Harker said the Town had gone through a lot over the years, but its resiliency has been the human portion of it; bonding together to get us through difficult times. She spoke about Mr. Day, saying he came along to the Town at the right time, imparting great wisdom that allowed a great future and vision for the citizens. She said she had learned a lot from Mr. Day and noted his compassionate nature along the way. She wished him well in his retirement and said she hoped he thought back about all the good things he helped put into place, such as encouragement, development, and training of Town staff. She welcomed the new board members and expressed how excited she was for everyone to work together. She ended by wishing staff a wonderful holiday season and recognized them for their hard work each day; with a special congratulations to Captain Beck for receiving the Hometown Hero award.

Commissioner Hagle added that he would like to also thank Mr. Day for his five years of service, noting the many improvements he has made to the Town along the way, putting it on a great path for the future.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting.

The motion passed unanimously.

The meeting was adjourned at 6:55 PM

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk