

APPROVED 6/14/2021

**MINUTES
TOWN OF BEAUFORT
BOARD OF COMMISSIONERS
VIRTUAL WORK SESSION
MARCH 22, 2021
4:00 P.M.**

Due to the State of North Carolina's Declaration of Emergency in response to the COVID-19 pandemic and per NCGS § 166A-19.24, the Town of Beaufort Board of Commissioners conducted a remote meeting using the Zoom application. Members of the Board of Commissioners participated in the meeting remotely.

The Town of Beaufort Board of Commissioners met remotely for a work session on Monday, March 22, 2021 at 4:00 p.m. with the following members present:

Mayor Everette Newton presiding
Mayor Pro Tempore Charles McDonald
Commissioner Ann Carter
Commissioner John Hagle
Commissioner Sharon Harker
Commissioner Marianna Hollinshed

Others Present: Town Manager John Day and Town Clerk and Assistant to the Town Manager Allen Coleman (All other staff members will be identified appropriately below)

Mayor Newton asked Town Clerk Allen Coleman to open the meeting to the public and provide public comment instructions.

Mayor Newton called the meeting to order at 4:01 p.m., welcomed everyone in attendance, and asked Town Clerk Allen Coleman to call the roll.
Roll Call ensued.

[AGENDA APPROVAL]

A motion was made by Commissioner Hagle to approve the agenda as presented.
Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

[PUBLIC COMMENTS]

NONE

[PROJECT UPDATES]

The Board received a presentation from the Town Engineer on current and/or active projects ongoing throughout the Town.

Greg Meshaw made the following PowerPoint presentation:

Slide #1

Project Updates



Town of Beaufort

March 22, 2021

Slide #2

Active Projects

12 Active Projects

- 1 Parks & Recreation
- 3 Street and Pedestrian Improvements
- 5 Utility
 - 1 Water
 - 2 Sewer
 - 1 Water & Sewer
 - 1 Water, Sewer, and Stormwater
- 1 Stormwater
- 2 Building

Slide #3

Active Projects

13 ~~12~~ Active Projects

- 1 Parks & Recreation
 - 2 Makeovers
 - 1 New
- 3 Street and Pedestrian Improvements
- 5 Utility
 - 1 Water
 - ~~2~~ Sewer → 3
 - 1 Water & Sewer
 - 1 Water, Sewer, and Stormwater
- ~~1~~ Stormwater → 2
- ~~2~~ Building → 1

Slide #4

Active Projects

(1 through 7)

- Cedar Street Park
- FY20 Street Rehabilitation & Construction
- Turner Street 100 Block Pedestrian Improvements
- Town Wide Sidewalks (Part 5-FY20 Street Rehabilitation & Construction)
- Cedar Street Water & Sewer Rehabilitation & Replacements
- Campen Road Waterline Extension/Upgrade
- USDA Funding Applications (Water, Sewer & Stormwater)

Slide #5

Active Projects

(8 through 13)

- Wastewater Asset Inventory Assessment
- High-Rate Infiltration System Permit Requisition
- **ECHS Sewer Pumping Issue Investigation NEW**
- Meeting Street Drainage Improvements
- **Charles Street Area Drainage Improvements/Maintenance NEW**
- ✓ Town Hall Reception Area Renovation **COMPLETE**
- Town Hall Entrance Improvements

Slide #6

Active Projects

(8 through 13)

- Wastewater Asset Inventory Assessment
- High-Rate Infiltration System Permit Requisition
- **ECHS Sewer Pumping Issue Investigation NEW**
- Meeting Street Drainage Improvements
- **Charles Street Area Drainage Improvements/Maintenance NEW**
- ✓ Town Hall Reception Area Renovation **COMPLETE**
- Town Hall Entrance Improvements

Slide #7



FY20 Street Rehabilitation and Construction

- ✓ Stanton Road
- ✓ Hedrick Street
- ✓ Mashburn Avenue
- ✓ Professional Park Drive
- ✓ Jefferson Street
- ✓ Eastern Avenue
- ✓ Ricks Avenue
- ✓ Sherwood Boulevard
- ✓ Live Oak Street 100 Block
- ✓ Gordon Street
- ✓ Laurel Lane
- ✓ Safrin Drive
- ✓ Craven Avenue
- ✓ Carteret Avenue
- ✓ Pollock Street
- ✓ Olivia Road
- ✓ Live Oak Street 300 Block
- ✓ Taylors Creek Road
- ✓ Campen Road

Final Inspection & Punch List

Slide #8



FY20 Street Rehabilitation and Construction

Concrete Work

- ✓ Replace 467 feet of rolled curb
- ✓ Replace 82 feet of curb & gutter **Complete**
- ✓ Replace 69 sq. yards of sidewalk
- ✓ Replace 16 each concrete curb ramps **Complete**

Pavement Markings

- ✓ 75 feet of 4" wide white lines **Complete**
- ✓ 1,078 feet of 4" wide yellow lines **Complete**
- 387 feet of 24" wide crosswalk lines **231 feet complete**

Seal Coating

- Marsh Street, Broad to Mulberry

} Awaiting warmer temperatures

Slide #9

FY20 Street Rehabilitation and Construction

Orange Street

- Utilities in place
 - Water line tested & disinfected
 - Gravity sewer tested
- Road base in place
- Pervious concrete in place
- To do
 - Switchover water services
 - Place asphalt surface course



Slide #10 FY20 Street Rehabilitation and Construction

New Street Construction

- ✓ Howard Jr. Lane



Unchanged

Slide #11

Turner Street 100 Block Street Improvements (West Side)

- Work Underway
 - Utilities Relocated
 - Retaining Wall Construction In Progress
- April 30th Milestone
 - Complete Front Street to FishTowne Brew House



Slide #12

Cedar Street Utility Rehabilitation & Replacements

- Work continues
 - Water @ 95 percent
 - Sewer @ 30 percent
- May 3rd Completion (Schedule)
 - ≈ 1 week behind



Slide #13

Active Projects

(8 through 13)

- Wastewater Asset Inventory Assessment
- High-Rate Infiltration System Permit Requisition
- **ECHS Sewer Pumping Issue Investigation**
- Meeting Street Drainage Improvements
- **Charles Street Area Drainage Improvements/Maintenance**
- ✓ Town Hall Reception Area Renovation
- Town Hall Entrance Improvements

Slide #14

Active Projects

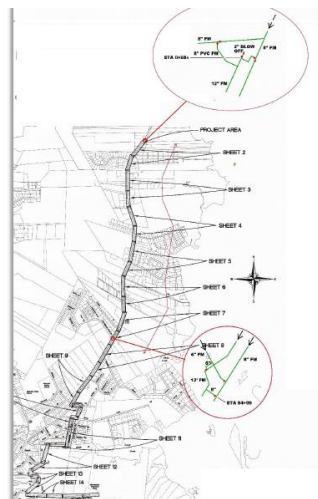
(8 through 13)

- Wastewater Asset Inventory Assessment
- High-Rate Infiltration System Permit Requisition
- **ECHS Sewer Pumping Issue Investigation**
- Meeting Street Drainage Improvements
- **Charles Street Area Drainage Improvements/Maintenance**
- ✓ Town Hall Reception Area Renovation
- Town Hall Entrance Improvements
- Wastewater Treatment Plant Odor Control System

Slide #15

ECHS SEWER PUMPING INVESTIGATION

- ECHS Pumps unable to discharge
- Multiple Month Issue
- School's efforts
 - "Pigging" of force main
 - Search for trapped air



Slide #16 ECHS SEWER PUMPING INVESTIGATION

Town's efforts

- Correlating 3 sets of historical drawings
- Searching for trapped air
- Checking & flushing Town air release valves
- Checking valves for open-closed status
- Looking for buried valves

VIDEO

Slide #17 Charles Street Area Drainage Improvements/Maintenance

- Charles Street drainage issues
- Possible downstream pipe joint failures
- To do
 - Obtain temporary access agreements
 - Grading
 - Pipe flushing
 - Pipe joint repairs

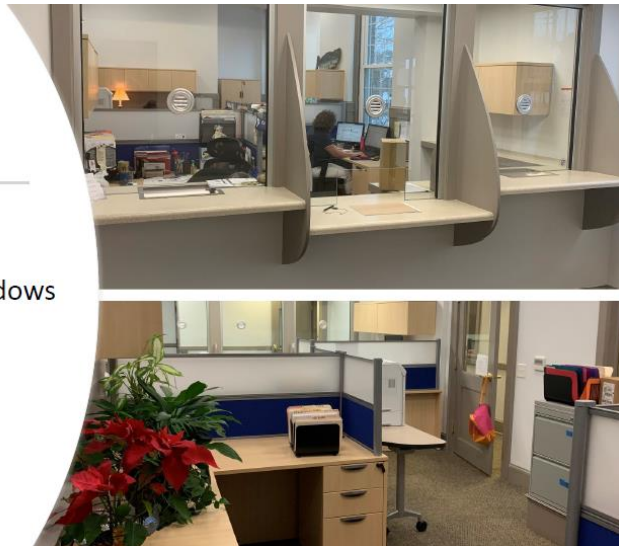


Slide #18

Town Hall Reception Area Renovation

- Changed out transaction windows

⇒ Complete



Slide #19



Town Hall
Steps, ADA Ramp
& Sidewalks

- Sidewalk
- Rails
 - Delayed
- Cleanup & Restoration

Slide #20

Wastewater Treatment Plant Odor Control Unit

Complete!



Slide #21

Project Updates

QUESTIONS? COMMENTS?

Commissioner Harker asked if staff was noticing any difference in the odor control now that this was in place.

Town Engineer Meshaw said he believed so. He said staff didn't leave it running the first week and there were a number of complaints from residents in Beau-Coast. He said now the equipment was running over the weekend and staff had received no other complaints to his knowledge.

Commissioner Harker asked if it was loud and noisy.

Greg Meshaw said no, it was very quiet.

Mayor Pro-Tempore McDonald asked how long the Wastewater Treatment Plant Odor Control project had been completed.

Greg Meshaw said approximately two to three weeks.

Commissioner Hagle said the report was comprehensive and he appreciated the run through. He asked if the air release valves were on a regular maintenance or inspection schedule.

Greg Meshaw said yes, staff would be popping the top on the manholes and inspecting them regularly. He said the valves do exhaust a little wastewater into the manholes and that was normal.

Commissioner Hagle said a maintenance program was needed.

Greg Meshaw said he agreed as they were notorious for having issues.

[ITEMS FOR DISCUSSION AND CONSIDERATION]

1. USDA Financing Package – Formal Offer and Acceptance

The Board discussed the formal offer and conditions from USDA Rural Development Office for an infrastructure financing package totaling \$23,579,000.

John Day, Town Manager, presented the following information:

BACKGROUND:

On March 1, 2020, the Board of Commissioners voted unanimously to accept a preliminary offer from USDA/Rural Development of an infrastructure financing package totaling \$23,579,000.

The package is broken down as follows:

Project	Type Loans	Grants	Total
Sewer	\$ 7,036,000	\$ 5,005,000	\$ 12,041,000
Water	\$ 8,031,000	\$ -	\$ 8,031,000
Storm Water	\$ 3,007,000	\$ 500,000	\$ 3,507,000
Total	\$ 18,074,000	\$ 5,505,000	\$ 23,579,000

The formal "offer and conditions" letter (attached) from USDA/Rural Development has been received and a vote of acceptance is required to move forward.

Commissioner Carter said in reading through the materials it stated the government may come back at a later date and suggested the Town could proceed with a different lender if they could get comparable rates. She asked if this has ever happened.

Manager Day said no, not that was aware of because no one offers comparable rates.

Commissioner Carter asked what government this document was referring to and if it was County or State.

Manager Day said it was likely boilerplate language that was included.

Commissioner Harker said the different programs presented a lot of contingencies. She asked if the construction monitoring would be done by staff or the contractor performing the work.

Manager Day said this would be done by a third party and Greg Meshaw may could speak more about this process when the next agenda item was presented.

Commissioner Harker said it appears the Town would have to go through the loans first before receiving the grants in the two areas the Town was eligible for grant funding. She asked if that was the standard procedure.

Manager Day said yes.

Commissioner Harker said the budget should be outlined to reflect when the loan funds are being depleted so the Board would be aware when the grant funding would start.

Manager Day said there was considerable reporting to the USDA and the Board would be apprised of the progress of each project.

Commissioner Harker asked if all of the numbers within the formal offer documents had been checked and the language appears consistent.

Manager Day said the documents were prepared by the consultants.

Commissioner Harker asked if the funding would be applied after the project was completed.

Manager Day said that was correct. He said this was a standard procedure from USDA and it was customary of the project to be completed prior to USDA awarding any funds. He said the wording name was "USDA interim loans" and this process was very common.

Commissioner Harker said under the water collection system there was a short-lived asset reserves in the amount of \$92,491. She asked if there was requirement to show that specific amount in the reserves.

Manager Day said it was required to be aside 10 percent of the loan payments each year and it was for a five-year period. He said the Town would setup something similar to an escrow account.

Commissioner Harker asked if the loan would be affected if the Board chose to change the fee schedule, either by an increase or a decrease.

Manager Day said he didn't expect this to have a major impact on the water loan, however one of the qualifications of the program was because of the current sewer rate. He said if the sewer rate was to change substantially then the Town would no longer qualify for the grant and there would not be adequate funds to pay the existing bills.

Mayor Pro-Tempore McDonald asked if there could be more specificity given on the geographic areas the USDA funding and corresponding projects would be applied to.

Manager Day said Town Engineer Greg Meshaw presented a number of slides at the Retreat which outlined these areas and there not been any changes since then. He said the engineering contracts were the next item on the agenda and the areas would be identified in those documents.

Commissioner Hollinshed said she was primarily interested in the start-up money the Town would need to put forward and wanted to ensure these funds would be reimbursed.

Commissioner Hagle asked how long the front money period would last.

Manager Day asked for clarification on whether Commissioner Hagle's question was directed to the amount for construction or design.

Commissioner Hagle said he was referring to the anticipation loan.

Manager Day said this was not anticipated until 2023.

Mayor Pro-Tempore McDonald asked if the current changes at the federal government level, related to infrastructure, would have an impact on the Town recuperating some of it's money towards any of our current projects similar to this proposal.

Manager Day said he didn't think there would be any impact, but the discussion the Board had at the retreat may allow for some of those funds to be applied to other projects like

the water treatment plant. He said staff had been in touch with consulting engineers about beginning that effort. He said street resurfacing may be another option from the funds with the federal government.

A motion was made by Commissioner Hagle to approve the resolution accepting the conditions in the Letters of Conditions from USDA, Rural Development.

Mayor Newton called each Commissioner by name (roll call).

Roll call ensued.

VOTE: UNANMIOUS (5-0)

**Resolution of the Town of Beaufort
Accepting the Conditions in the
Letters of Conditions From USDA, Rural Development**

BE IT RESOLVED

That the **Town of Beaufort** accepts the conditions set forth in a Letter of Conditions for Wastewater Collection, Storm Drainage, and Water Distribution Projects, and RUS BULLETIN 1780-27, Loan Resolution (Public Body)

That the Mayor and Town Clerk be authorized to execute all forms necessary to obtain a loan and grant from USDA, Rural Development, including, but not limited to the following forms:

- | | |
|----------------------|---------------------------------------|
| Form RD 1942-46 | Letter of Intent to Meet Conditions |
| RUS Bulletin 1780-27 | Loan Resolution (Public Body) |
| RUS Bulletin 1780-12 | Water or Waste System Grant Agreement |
| Form RD 1940-1 | Request for Obligation of Funds |

That if the interest rate charged by Rural Development should change between this date and the date of actual approval, the Mayor and Town Clerk be authorized to execute new forms reflecting the current interest rate and revised payments as required by Rural Development.

That the Board of Commissioners elects to have the interest charged by Rural Development to be the lower of the rate in effect at either the time of loan approval or loan closing.

This resolution also covers the adoption of the Mitigation Measures that were included in the Letters of Conditions. The Mitigation Measures will be in effect for the project area.

This resolution is to become a part of the official minutes of the Board meeting held on **March 22, 2021**.

MOTION MADE BY: Hagle

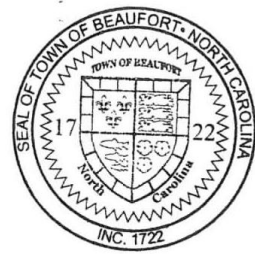
SECONDED BY: n/a

TO ADOPT THE RESOLUTION.

MOTION PASSED 5 to 0

By: [Signature]
Everette S. "Rhett" Newton, Mayor

Attest: [Signature]
Allen Coleman, Town Clerk



2. USDA Funded Utilities Project – Engineering Consultant Contracts and Budget Amendment

The Board considered voting to approve three (3) Engineering Service Agreements related to the Water, Sewer, and Stormwater Utility Improvements Projects funded by the USDA, and authorize the Town Manger to execute the Agreements. In addition, the Board considered approving a Budget Amendment transferring funds necessary to underwrite consulting engineer services from capital reserves to project accounts established by the budget amendment.

Greg Meshaw, Town Engineer, presented the following information:

BACKGROUND:

The Town of Beaufort has received word from the North Carolina State Rural Development Office of the United States Department of Agriculture (USDA) that it will provide funding for the Town's proposed water, sewer and storm water improvements projects. USDA representatives have also requested that fully executed Engineering Service Agreements (ESAs) for the three projects be submitted for their concurrence after the funds have been formally obligated by their agency. Accordingly, Town staff asks the Board of Commissioners to consider authorizing the Town Manager to execute the three ESAs. To that end, a copy of each agreement is attached for review.

Each ESA was prepared utilizing the template documents approved by USDA for use with projects the agency funds. The resulting documents were then reviewed by the USDA State Engineer. The documents were, thereafter, refined to incorporate revisions intended to address the Engineer's review comments. They are now attached for Board review.

Town staff also recommends that the Board authorize the appropriation of the internal funds necessary to underwrite the cost of consulting engineering services for the three improvements projects in conjunction with an approval of the ESAs.

Commissioner Carter asked if the funds associated would be reimbursed once the Town received the loan or the grant.

Greg Meshaw said yes.

Commissioner Hagle said there were essentially two parts, one being the basic expenditure portion for design and another for a resident project observer that would be performed by Rivers and Associates.

Greg Meshaw said this was for full-time on-site inspections. He said the resident observer was basically the eyes and ears of the engineer who designed the project so that at the end of the project the design engineer can certify to the State of North Carolina the work associated with the project was done in accordance with the plans and specifications.

Commissioner Hagle asked if those funds represented the \$985,000.

Greg Meshaw said yes.

Commissioner Carter asked if the Town would be required to provide housing to this individual.

Greg Meshaw said that was some of the cost but primarily it was for travel.

A motion was made by Commissioner Hagle to:

- a. Approve the engineering services agreements for the USDA-funded water, sewer, and storm water improvement projects,
- b. Authorize the Town Manager to execute the agreements and;

- c. Approve the budget amendment transferring the funds necessary to underwrite the consulting engineer services from capital reserves to project accounts established by the budget amendment.

Mayor Newton reminded the Board the motion was for multiple parts.
Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANIMIOUS (5-0)

3. Request to Rezone 1001 Cedar Street from R-8 to CS-MU – Case No. 21-02

The Board considered voting to approve a request to rezone 1001 Cedar Street from R-8 Residential to CS-MU Cedar Street Mixed Use District.

Kate Allen, Town Planner, presented the following information:

BACKGROUND:

The Board of Commissioners conducted a public hearing at the March 8th Regular Meeting. Public comments were accepted for 24-hours following the hearing; there were none.

Property owner, Bradley Cummins, is requesting to rezone 1001 Cedar Street from R-8 Residential to CS-MU Cedar Street Mixed Use District.

The Planning Board reviewed the request at the February 15, 2021 meeting and found the request consistent with the CAMA Future Land Use Map. 5/5 members in attendance unanimously recommended approval of the request.

Commissioner Carter asked if there were any objections to the rezoning request.

Kate Allen said there was no feedback received after the public hearing.

Commissioner Hagle said the expansion on Cedar Street mixed use into the next block, which is primarily residential, if from a planning standpoint that was permissible.

Kate Allen said Kyle Garner and her thought the rezoning was reasonable considering the growth patterns for this area. She said the area in question served as a nice buffer between residential and commercial use.

A motion was made by Commissioner Hollinshed to approve the request to rezone 1001 Cedar Street from R-8 to CS-MU; Cedar Street Mixed Use.

Commissioner Hollinshed read the following consistency statement and ordinance amendment:



**BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE 1001 CEDAR STREET FROM R-8 to CS-MU
ORDINANCE NO. 21-05**

Applicant: Bradley Cummins
Location: 1001 Cedar Street
Parcel ID: 730618404112000
Lot Size: 0.24 acres
Existing District: R-8 Residential District
Meeting Date: March 8, 2021
Requested District: CS-MU Cedar Street Mixed Use District

WHEREAS, the Applicant has submitted a request to rezone the above referenced property to CS-MU; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on February 15, 2021, at which time the Planning Board recommended approval of the request; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on March 8, 2021 at which time the applicant and/or applicant's representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

WHEREAS, at the March 22, 2021 meeting the Town Board of Commissioners has made the following findings and conclusions:

1. The request is consistent with surrounding land use patterns and zoning in the area.
2. The proposed zoning of CS-MU is consistent with the spirit and intent of the ordinance and the CAMA Core Land Use Plan - Future Land Use Map.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 1001 Cedar Street to CS-MU Cedar Street Mixed Use District is approved and the Town's Zoning Map is amended accordingly.

Enacted on motion of Commissioner Hollinshead and carried on a vote of 5 in favor and 0 against.

This, the 22nd day of March, 2021

TOWN OF BEAUFORT

Allen Coleman, Town Clerk

Everette (Rett) Newton, Mayor



Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

4. Request to Rezone 502 Cedar Street from TR to CS-MU; Case No. 21-03

The Board considered a rezoning request to add continuity to the 500 block of Cedar Street regarding the zoning of Mixed Use.

Kyle Garner, Director of Planning and Inspections, presented the following information:

BACKGROUND:

At the March 8th Commissioners a public hearing was conducted via zoom, however a decision was not made due to the requirement to wait 24 hours for written comments. The request is that the Commissioners make a decision to approve or deny the request and provide a consistency statement.

At the January 19th meeting the Planning Board requested that staff submit a rezoning request for this parcel to add continuity to the 500 block of Cedar Street regarding the zoning of Mixed Use. Per the Boards request staff is submitting 502 Cedar Street for rezoning from TR to CSMU.

At their February 15, 2021 meeting the Planning Board recommended unanimously to rezone 502 Cedar Street from TR to CS-MU.

Director Garner said to follow-up on Commissioner Hagle's question on the last item, he would echo agreed with Kate Allen that the pattern is fine. He said it will be interesting to see if it stays consistent in the CAMA Land Use Plan that was currently be updated.

A motion was made by Commissioner Hagle to approve the request to rezone 502 Cedar Street from TR to CS-MU.

Commissioner Hagle read the following consistency statement and ordinance amendment:



BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE ~~508 & 510~~ Cedar Street FROM TR to CS-MU
ORDINANCE NO. 21-06

Applicant: Town of Beaufort Staff
Location: 502 Cedar Street
Parcel ID: 730618215164000
Lot Size: 15,143 Sq. ft. Total (based on GIS data)
Existing District: TR (Transitional)
Meeting Date: March 8, 2021
Requested District: CS-MU – Cedar Street – Mixed Use

WHEREAS, the Town of Beaufort Planning Staff has submitted a request to rezone the above referenced property to CS-MU; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on February 15, 2021, at which time the Planning Board recommended approval of the request; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on March 8, 2021 at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

WHEREAS, the Town Board of Commissioners has made the following findings and conclusions:

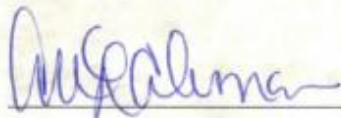
- 1. The request is consistent with surrounding land use patterns and zoning in the area.
- 2. The proposed zoning of CS-MU is consistent with the spirit and intent of the ordinance and the CAMA Core Land Use Plan.

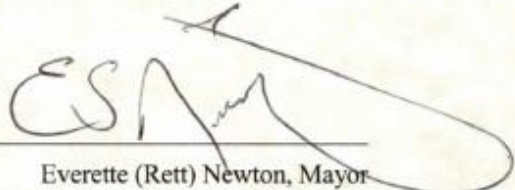
NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 502 Cedar Street to CS-MU is approved and the Town’s Zoning Map is amended accordingly.

Enacted on motion of Commissioner Hagle and carried on a vote of 5 in favor and 0 against.

This, the th day of March 2021

TOWN OF BEAUFORT


Allen Coleman, Town Clerk


Everette (Rett) Newton, Mayor



Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

5. Request to Rezone 823 West Beaufort Road from R-8 to B-1; Case No. 21-04

The Board considered a request to rezone 823 West Beaufort Road from R-8 residential to B-1 General Business District.

Kate Allen, Town Planner, presented the following information:

BACKGROUND:

The Board of Commissioners conducted a public hearing at the March 8th Regular Meeting. Public comments were accepted for 24-hours following the hearing; there were none.

Janine Facciola is requesting to rezone 823 West Beaufort Road from R-8 Residential to B-1 General Business District.

The Planning Board reviewed the request at the February 15, 2021 meeting and found the request consistent with the CAMA Future Land Use Map. 5/5 members present unanimously recommended approval of the request.

A motion was made by Commissioner Hollinshed to approve the rezoning request of 823 West Beaufort Road from R-8 residential to B-1 General Business District.

Commissioner Hollinshed read the following consistency statement and ordinance amendment:



**BEAUFORT BOARD OF COMMISSIONERS
AN ORDINANCE TO REZONE 823 WEST BEAUFORT ROAD FROM R-8 to B-1
ORDINANCE NO. 21-07**

Applicant: Janine Facciola
Location: 823 West Beaufort Road
Parcel ID: 730615634587000
Lot Size: 0.474 acres
Existing District: R-8 Residential District
Meeting Date: March 8, 2021
Requested District: B-1 General Business District

WHEREAS, the Applicant has submitted a request to rezone the above referenced property to B-1; and

WHEREAS, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on February 15, 2021, at which time the Planning Board recommended approval of the request; and

WHEREAS, the Beaufort Board of Commissioners conducted a public hearing on March 8, 2021 at which time the applicant and/or applicant's representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

WHEREAS, at the March 22, 2021 meeting the Town Board of Commissioners has made the following findings and conclusions:

1. The request is consistent with surrounding land use patterns and zoning in the area.
2. The proposed zoning of B-1 is consistent with the spirit and intent of the ordinance and the CAMA Core Land Use Plan - Future Land Use Map.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 823 West Beaufort Road to B-1 General Business District is approved and the Town's Zoning Map is amended accordingly.

Enacted on motion of Commissioner Hollinshead and carried on a vote of 5 in favor and 0 against.

This, the 22nd day of March, 2021

TOWN OF BEAUFORT



Allen Coleman, Town Clerk



Everette (Rett) Newton, Mayor



Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

6. Text Amendment modifying the Land Development Ordinance Section 20: Special Use Permits; Case No. 21-05

The Board discussed and considered a staff initiated text amendment modification proposal to replace the term “public hearing” with “quasi-judicial proceeding” in order to eliminate confusion between the legislative and quasi-judicial processes.

Kate Allen, Town Planner, presented the following information:

BACKGROUND:

Section 20: Special Use Permits, of the Land Development Ordinance, currently uses the language “public hearing.” Staff is requesting the term “public hearing” be changed to “quasi-judicial proceeding” in order to eliminate confusion between the legislative and quasi-judicial processes. Staff has consulted with the Town Attorney to ensure the request is consistent with the North Carolina General Statutes.

Commissioner Harker asked for additional clarification on what exactly was confusing. Kate Allen said the current ordinance was written with the term public hearing leading staff to believe the 24-hour period comment period was applicable to special use permit applications.

Commissioner Harker said not only does this change the term but also the process.

Kate Allen said that was correct. She said with a quasi-judicial proceeding the Board could render a decision at the same time and would not have to wait a 24-hour comment period.

Commissioner Harker asked if the public would have the opportunity to comment at any point during this process.

Kate Allen said during a quasi-judicial proceeding only individuals with standing are eligible to comment and must be subscribed an oath prior to giving testimony. She said on text amendments any member of the public could comment but with special use permits only individuals with standing would be eligible to comment.

Commissioner Hollinshed said replacing the language will clean things up a bit and create less confusion in the future.

Commissioner Hagle said this process change will make things a lot easier and stream decisions.

A motion was made by Commissioner Hagle to schedule a public hearing for April 12, 2021, the next Board of Commissioners regular meeting, and consider the text amendment modification at that time.

Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

7. Modify/Revise the Existing Planned Unit Development (PUD) for Beau Coast Subdivision

The Board considered the applicant-initiated request to modify several standards in the PUD Booklet Dated February 22, 2021 for Beau-Coast Subdivision.

Kyle Garner, Director of Planning and Inspections, presented the following information:

BACKGROUND:

The applicant wishes to modify the following standards in the PUD Booklet Dated February 22, 2021 for Beau Coast Subdivision:

- Convert a section of eight (8) 22' wide townhome lots (existing lots 119-126) to four (4) single family lots (50' wide): Net loss of four (4) dwelling units; (See Attachment – A – Vicinity Map for location of lots.)
- Convert two (2) 20 foot wide townhome lots (lots 177 & 178) to one (1) 40' wide single family lot: Net loss of one (1) dwelling unit; o Total net loss of 5 dwelling units. (See Attachment – A – Vicinity Map for location of lots.)
- Add permeable pavement specifications to the PUD document for alleys, on-street parking areas, and sidewalks as an option for use in the PUD;
- Add note regarding lot configuration options

At their March 15, 2021 meeting, the Planning Board unanimously recommended to Modify the PUD for Beau Coast Subdivision with the above four revisions.

Director Garner said the Town Clerk had proposed a change in process for the public hearing items. He said instead of the Board receiving these items multiple times, the Board could vote on the proposal after the public hearing and place a contingency pending any written public comments. He said if written comments were received the Board would default to hearing those comments at the next work session.

Mayor Newton asked if this change had been vetted through the Town's Attorney. Director Garner said yes.

A motion was made by Commissioner Hagle to schedule a public hearing for April 12, 2021, the next Board of Commissioners regular meeting, and consider the modification request at that time.

Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

8. Final Plat – Beau Coast Phase V

The Board discussed an applicant-initiated request to subdivide a 15.31-acre tract into 86 lots (49 Single Family Residential Lots and 37 Townhome Lots).

Kyle Garner, Director of Planning and Inspections, presented the following information:

BACKGROUND:

The applicant wishes to subdivide a 15.31 acre tract into 86 lots (49 Single-Family Residential Lots & 37 Townhome Lots). In addition to Planning Staff, the Town Engineer and applicants Engineer will also be available to answer questions regarding the proposed infrastructure.

At their March 15, 2021, meeting, the Planning Board recommended unanimously to approve the Final Plat.

A motion was made by Commissioner Carter to consider this request at the April 12, 2021 Board of Commissioners Regular Meeting and place this item under discussion.

Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

9. Preliminary Plat – Beaufort East Village Phase 1 – Case No. 21-08

The Board discussed an applicant-initiated request to subdivide a 41.79-acre tract into 108 lots (60 Single-Family Residential Lots and 48 Townhome Lots).

Kyle Garner, Director of Planning and Inspections, presented the following information:

BACKGROUND:

The applicant wishes to subdivide a 41.79 Acre Tract into 108 Lots (60 Single-Family & 48 Townhouses). In addition to Planning Staff, the Town Engineer and applicants Engineer will also be available to answer questions regarding the proposed infrastructure.

At their March 15, 2021 meeting, the Planning Board recommended unanimously to approve the Preliminary Plat.

A motion was made by Commissioner Carter to consider this request at the April 12, 2021 Board of Commissioners Regular Meeting and place this item under discussion.

Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANMIOUS (5-0)

10. Rotary Beaufort Historic Road Race

The Board considered an event application submitted by the Beaufort Ole Towne Rotary for the Historic Beaufort Road Race.

Rachel Johnson, Parks and Events Coordinator and Public Information Officer, presented the following information:

BACKGROUND:

Event organizers for the Historic Beaufort Road Race run by the Beaufort Ole Towne Rotary have submitted an event application to host the annual event on Saturday, June 12 2021. This is a change for the event that has traditionally been held in late July.

In addition to their event application, attached is the organizations' COVID-19 safety procedures.

The event requests the closure of the West parking lot. Staff has reviewed the application and raises the concern of a potential conflict if the closure of the West Parking Lot is approved. June 12 is the Big Rock fishing tournament's KWLA fishing tournament for lady anglers as such the parking area is often filled with participants at an early hour.

Organizers have also requested assistance with the fees associated with the event as outlined below.

* June 12, 2021

- * Set-up 6 a.m. - Finished by 10 a.m.
- * Request traditional 10K route
- * Request Turner Street be closed from Middle Lane to Front Street from 6 -10 a.m.
- * Request Front Street be closed from Orange to Queen Streets during race
- * Request closure of the West Parking lot to reopen by 10 a.m.
- * Request paid parking be suspended until 10:30 a.m.
- * Event will provide volunteers to help supplement public safety personnel at intersections along Front Street
- * Request assistance with fees. Traditionally they have received an event grant from the Town. This funding is unavailable for the 2021 event season due to the lack of a parking season in 2020. Fees incurred will come from closure of the West Parking lot during Paid Parking season, police/fire personnel to close streets and safety and trash/recycling services. The estimated total based on past years is around \$450 without parking lot closure fees.

Rachel Johnson said the application request inadvertently said the west parking lot, but it was John Newton Park. She said this would clarify any confusion around parking.

Commissioner Harker said the COVID-19 safety procedures included in the event application were presented well.

A motion was made by Commissioner Hagle to approve the event application request submitted by the Beaufort Ole Towne Rotary for the Historic Beaufort Road Race on Saturday, June 12, 2021.

Mayor Newton called each Commissioner by name (roll call).

Roll call ensued.

VOTE: UNANMIOUS (5-0)

11. Residential Solid Waste Fee Increase

The Board discussed a 27-cents per month increase in the Residential Solid Waste Fee; (from \$19.17 to \$19.44).

Christi Wood, Finance Director, presented the following information:

BACKGROUND:

Per our residential service agreement with Waste Industries (now GFL), the monthly fee shall be adjusted on an annual basis to reflect the annual adjustment based on the Consumer Price Index for All Urban Consumers (CPI-U): South Region, as published by the US Department of Labor. Effective April 1, 2021, the rates will be increased by 1.4% for residential services. The notice from GFL is attached.

The term of the contract for Residential Service with GFI is 7 years: March 2017-February 2024. It can be extended for an additional 5 years. This contract was executed in November, 2016.

The term for the contract for WBD Service with GFI is also 7 years: July 2017 – June 2024. It can be extended for an additional 5 years. This contract was executed July, 2017.

A motion was made by Commissioner Hagle to include this item under consent for the April 12, 2021 Board of Commissioners Regular Meeting.

Mayor Newton called each Commissioner by name (roll call).

Roll call ensued.

VOTE: UNANMIOUS (5-0)

12. FY 2021 Budget Amendment No. 8

The Board considered a budget, grant, and capital project ordinance amendment for fiscal year 2020-21, which appropriates \$6,500 of General Fund balance to purchase a new HVAC unit for the Public Works Wood Shop.

Christi Wood, Finance Director, presented the following information:

BACKGROUND:

This amendment requests a Fund Balance appropriation for a new HVAC unit for the Public Works Wood Shop. The current unit is 22 years old and has stopped working due to a rusted accumulator. A repair has been quoted for \$2,000 but will still leave a 22-year-old unit. The cost for a new unit is \$6,500.

Commissioner Carter asked if an investigation had been conducted because the cost seemed high.

Director Wood said the Town was required to have three quotes and all of the quotes were around the same price point.

A motion was made by Commissioner Harker to include this item under consent for the April 12, 2021 Board of Commissioners Regular Meeting.

Mayor Newton called each Commissioner by name (roll call).

Roll call ensued.

VOTE: UNANMIOUS (5-0)

13. February 2021 Financial Report-Notes

The Board received the Town's February 2021 Financial Report and Notes.

Christi Wood, Finance Director, presented the following information:

BACKGROUND:

Tax collections for January and February are listed below

January		
Tax Year	Balance Remaining	Collection Rate to Date
2014	\$2,400	99.91%
2015	\$7,614	99.70%
2016	\$18,519	99.30%
2017	\$21,944	99.25%
2018	\$29,954	99.08%
2019	\$65,549	98.29%
2020	\$194,294	95.94%
February		

Tax Year	Balance Remaining	Collection Rate to Date
2014	\$2,400	99.91%
2015	\$7,267	99.72%
2016	\$16,674	99.37%
2017	\$21,834	99.26%
2018	\$28,834	99.12%
2019	\$60,221	98.43%
2020	\$150,799	96.85%

- Sales and Use tax distribution for March is \$177,189 (December sales)

Commissioner Carter asked if every employee was covered under Worker's Compensation because some departments showed an account and others did not.

Director Wood said some departments are lumped together.

Commissioner Hagle said the income from property tax and sales tax was coming in over projection. He asked if this was a trend and what the forecasted amounts were through the end of the fiscal year.

Director Wood said the actuals were coming in a little higher than projection. She said the property tax collections had likely reached a peak for this fiscal year and the Board would start to see a steady decline until the end of the fiscal year.

Commissioner Hagle asked how much of a decrease could be expected.

Director Wood said she could run a few reports and analysis and send those projections out to the Board for their review.

Commissioner Hagle said that would be helpful and if a projection for sales tax could be included as well.

Manager Day said the Board had talked about Sales Tax Revenue and the potential for it to diminish as the year continued but that declined hasn't happened yet.

14. Beaufort Harbor and Waterways Master Plan Advisory Committee

The Board discussed the charge and composition for the proposed Beaufort Harbor and Waterways Master Plan Advisory Committee.

John Day, Town Manager, presented the following information:

BACKGROUND:

As discussed at the February 2020 Town Board retreat, a comprehensive harbor and waterways master plan is needed to address water quality, harbor management, the expiration of the current Beaufort Docks and National Park Service leases in 2024, the possible development of a mooring field, and how such items impact the timing of the replacement of the Front Street bulkhead and boardwalk.

At this year's Town Board retreat it was decided that an advisory committee should be appointed to assist in the effort. This committee will engage the public and work with the town's staff and consultant to advise the Board of Commissioners during the formation of a Beaufort Harbor & Waterways Master Plan.

The Board also discussed preparation of an updated application for appointments to boards

and committees, including a question related to applicants' "connection" to Beaufort. There was consensus that there should not be a residency requirement for all appointees to this committee, and that there should be full disclosure of any potential financial implications for members.

A draft description of the committee background, charge, and composition is attached. Also, a draft application for boards and commissions will be introduced at the meeting.

Commissioner Carter said the Board had originally requested that the new committee be comprised of six members and each member of the Board would be eligible to appoint one individual. She said she objected to the current proposal which allowed the Mayor to select two individuals.

Commissioner Carter said water quality was listed as the primary element of this committee and this was not a concept a small group would be able to deal with.

Commissioner Harker said the Board had originally agreed to having a smaller group and was not opposed to having individual appointments. She said the understanding was applications would be received similar to any other appointment vacancy and the Board would work through those together to ensure good representation was on the committee. She asked if the committee members would serve a number of terms before having to be re-appointed or rolling off.

Manager Day said this decision was up to the Board but it may be beneficial to have the committee members serve for the duration of the project but the consultant may need to weigh in on this as well. He said the Board had discussed having five, six, and even seven members on this committee and this was a decision for the Board.

Mayor Pro-Tempore McDonald said he didn't have an issue with the number of positions on this committee but expected the individuals that were appointed to be just, fair, and work for the betterment of the Town of Beaufort.

Commissioner Hollinshed said based on her recollection the Board had discussed having five members, each appointed by a Commissioner, and a sixth member being appointed by the Mayor. She said if the Board wanted seven positions then that position could be an at-large and nominated by the entire Board.

Commissioner Hollinshed said that the money was in hand to hire Moffat and Nichols.

Mayor Newton asked if the Board wanted to bring Moffit and Nichols on board first before a definition was placed on the new advisory committee.

Commissioner Hollinshed said the stakeholder group and the consultant need to sit down at the same time together, equally.

Commissioner Hagle said appointments should be handled the same way the Town advertises and recruits for other positions. He said the Board should appoint all six positions or however many positions is designated.

Commissioner Carter said the Board would select the members from the applicant pool but in this case a certain applicant was preferred.

Commissioner Hagle said individuals throughout the community could be encouraged to apply but the process needed to stay the same.

Commissioner Harker said the emphasis would be on the new application and how the questions would be worded.

Commissioner Carter said the consultant really needed to get their feet wet before the committee was appointed.

Commissioner Hagle said consultant was very skilled in this type of work and should come at the same time as the committee members so everyone was starting from the same point.

Commissioner Carter said their were concerns about the consultant starting first and making decisions before the Committee was appointed.

Commissioner Hollinshed said that wasn't the intention and decisions would not be made before the committee was seated. She said bringing the consultants on board first would allow them time to prepare for the committee meetings.

Commissioner Carter said as long as the consultants are advisory and not making decisions then she supported bringing them on now.

Mayor Newton asked if it was possible to bring the consultants on and have them at the April 12, 2021 BOC regular meeting.

Manager Day said the Board did not need to approve a contract with Moffat and Nichols as this would be done in-house. He said the consultants were aware of this project and were on hold pending the Boards decision on timing. He said staff would begin the contractual process and routing through the attorney.

Manager Day said the Board had tossed around the idea of having six positions and possibly the Mayor being able to bring forward a name for appointment to the new committee. He said the Board also discussed having the option for applicants to follow the regular appointment process and clarification needed to be given.

Commissioner Hagle said the applicants should follow the normal appointment process.

Commissioner Carter said that was fine but any of the Commissioners could appoint someone as long as the individual was willing to serve.

Commissioner Hagle said the individual must apply and have an application on file.

Commissioner Hollinshed said it was up to the Commissioners to encourage qualified applicants to apply.

Commissioner Harker asked if the seventh member could be a tie-breaker appointment.

Commissioner Hollinshed said once the applications come in the Commissioners could chose to appoint additional members if a large pool of qualified applicants presented themselves.

Town Clerk Allen Coleman presented the Board of Commissioners with the new Volunteer Boards and Commissions application.

15. Manager and Board Evaluation Proposal

The Board reviewed and discussed the Town of Beaufort's Manager and Board Evaluation process proposal as recommended by the School of Government (SOG) at The University of North Carolina at Chapel Hill and provided direction to staff on next steps.

Commissioner Harker presented the following information:

BACKGROUND:

Donna Warner and Peg Carlson of the UNC School of Government worked with Commissioner Harker, Mayor Newton, and the Town Manager to develop a process for manager and board evaluation.

Donna Warner made a presentation at the December, 2020 Work Session explaining the proposed evaluation process. The presentation, proposal, and list of evaluation principles is attached.

Commissioner Carter said she completely disagreed with the proposal as it was presented. She said after attending the training at the School of Government the evaluation templates that were presented were very similar to those the Board has used in the past and

recommended the Board consider one of those as an option. She said the Manager evaluation templates from the City of Lexington as well as the Durham County Manager would be a good starting point. She said the school of government said each governing Board should think of themselves as a unit and not as individuals.

Commissioner Hagle said the form was important, but the process was key. He said evaluation discussions should be open and honest and anytime a group was evaluating one individual it could be challenging. He said the form would guide the discussion and help ensure transparency, solid expectations, and good results.

Mayor Pro-Tempore McDonald said the Board should operate as a group and share information, discuss items, and consider moving forward together. He said the course he attended did not reveal to him any difference procedures or processes than the Board was currently using and asked for clarification on what the intended outcome was from this discussion.

Commissioner Harker said the request was twofold. She said originally recommendation was for the Board to approve an evaluation process which would include an opportunity for the manager to provide a self-evaluation prior to the Board's input and this would be a change from the current setup. She said the second change was to consider the form that was used and allow the Manager an opportunity to provide feedback on the Board's performance.

Commissioner Harker said the City of Lexington's proposal may be an item for consideration but that information needed to be circulated to the entire Board. She said the process and timeline also needed to be determined and whether the Board would like for the evaluation and any type of merit raises to coincide with the fiscal year.

Commissioner Harker said the proposal still allowed for the Board to complete the evaluations individually and during a closed session discuss the individual reviews and compile those for a completed Manager evaluation from the Board as a group.

Commissioner Carter said the training revealed that merit raises and evaluations should not be tied together.

Commissioner Harker said it was unusual that the course did not say the two items could be completed at the same time because that differed from the conversations and training she and the Mayor had received from Peg Carlson and Donna Warner.

Mayor Pro-Tempore McDonald said he was from the old school and if the manager was not performing up to the appropriate standards then it should be discussed by the Board. He said communication was key and if the manager was not performing at the appropriate standards then their should be communication of specific examples throughout the year instead of waiting until the evaluation process. He said it would be helpful if the evaluation could include a spot for the Manager and the Board to set expectations on what each of them expected from each over in three years, five years, etc.

Commissioner Harker said that was the purpose of the form and it was critical to set expectations from the very beginning.

Mayor Pro-Tempore McDonald said out of the six members, including the Mayor, he was not aware of any conversation with the Town Manager where expectations were set and a thorough conversation around the Manager's job description was conducted. He said the Manager should have the opportunity to say whether he or she can perform certain elements of the job duties and what tools he or she may need to meet the expectations of the Board.

Commissioner Harker said Manager Day may want to elaborate on some of the points that had been raised so far.

Manager Day said the proposal did include a new form and the format was a little different but the process being recommended would include time for individual Commissioner reflection and then an opportunity for the Board to discuss their thoughts and comments as a group. He said the final rating would be done as an entire group at the facilitated evaluation session which was different than the current process.

Manager Day said the Board would need to reach a consensus or conclusion rather than just simply submitting their responses on a form.

Commissioner Hollinshed said the current proposal was not her favorite and that the Board should consider other forms that are a better fit for Beaufort. She said the Board of Commissioners answer to the people of Beaufort and are reviewed every four years at the time for elections. She said the emphasis should be on the Manager's ability to accomplish certain goals as designated by the Board and give him or her the tools to accomplish those goals. She said the Manager does not report to the people in the community unless the Board authorizes that relationship and their was to much emphasis on the monetary portion of the review.

Commissioner Hollinshed said it may be helpful and even needed to conduct two mini-reviews; one at the beginning of the fiscal year and a six month check in as this process unfolds. She said she liked the ideas that were presented by the School of Government and the Board could encompass some of those suggestions into their review process.

Commissioner Harker said the proposal that was currently presented outline several processes that could be considered as the Board worked to develop a unique process.

Commissioner Hollinshed said she disagreed with the proposal as written and said the training that was offered presented this information in a different light.

Mayor Newton said it was important that the Board operate by consensus verses giving individual goals and priorities preference. He said he agreed with Commissioner Hollinshed that it was important for the Board to clearly outline tangible goals and the process could be two mini-reviews. He said an informal session could be held in January and then a formal session in July or August to ensure the Manager was able to succeed with the Board's expectations.

Mayor Newton said the evaluation and merit raise conversations should be linked together but certainly the Board could hold two different discussions around the same time if that was the consensus by the Board.

Commissioner Hagle said the salary adjustment for the Manager should be made after the review and not discussed at the same time or the same meeting. He said it may be appropriate to review the merit raise discussion at the next closed session.

Commissioner Harker said there appeared to be consensus among the Board to go back to the drawing board and tweak the proposal to align more with what the Town of Beaufort needed.

Manager Day said he was interested to see the evaluation proposal from Durham County as that was what the School of Government used during their session as well.

Commissioner Carter said during the evaluation training several members agreed to using something similar to the Durham County's or the City of Lexington's proposals. She said Allen could send those documents to the entire Board so everyone could review those materials.

Town Clerk Allen Coleman said he would email the training materials that some of the Board members had received to the entire Board for their review.

Commissioner Harker said this meant the Board was going back to square one.

Commissioner Carter said the Board should be able to use one of the forms presented and go from there. She said the training encouraged the manager's evaluation and the Board evaluation be separate processes, but she did not see a need to evaluate the Board itself.

Commissioner Harker said the conversation about Board evaluation hit a high note with several members when this was presented in December of 2020.

Commissioner Hagle said the Board needed to review the various templates proposed so the Board could make a final decision at their next work session.

Commissioner Harker asked if the Board would like to consider a facilitator to help with the evaluation discussion.

Commissioner Carter said a facilitator was not needed as the Board was very compatible and respectful of others.

Commissioner Harker asked when the next work session was scheduled. Town Clerk Allen Coleman said on April 26, 2021.

[MAYOR/COMMISSIONER COMMENTS]

Commissioner Carter said the Planning Board meeting was held and the Town's Attorney mentioned changes that would need to occur to mirror current legislative changes with 160-D. She asked if the Town was on track to having those in place by July.

Manager Day said yes, but the scope of the project was rather large and it would need to be out sourced.

Commissioner Hagle asked what the cost would be for the revision work.

Manager Day said one proposal was for \$85,000 as this was not an inexpensive project.

Commissioner Hagle said the cost was excessive and a bit ridiculous from a tax payers perspective. He asked if the Town's Attorney could provide a reasoning behind why this was being done and the benefits of the changes.

Town Attorney Arey Grady said the end goal of the legislation would be good as the General Assembly really took all of the land use statutes applicable to counties and cities and consolidated them into one new chapter. He said the current Land Development Ordinance coupled with the new legislation in 160-D created a several hundred-page document for review.

Commissioner Hagle asked if the Land Development Ordinance would be compatible with the new legislation or if the Town would spend more money revising that document as well.

Attorney Grady said 160-D was geared to be primarily administrative regarding rules and regulations on permit issuance, violation enforcement, when to conduct a legislative or quasi-judicial proceeding, etc. He said the Land Development Ordinance would be more substance. He said the LDO and 160-D work addresses two different sides of the coin and while the work could be done simultaneously, it would likely be overwhelming.

Commissioner Harker said thank you to the staff for their hard work. She said there was a lot of traffic in downtown Beaufort on Front Street and she was excited to see things picking up in that area and hopefully that volume continued through the summer months.

Commissioner Harker said she appreciated everyone's input on the Board evaluation discussion and agreed that the Board should work together to reach a conclusion that worked for everyone.

Mayor Pro-Tempore McDonald said the citizens of Beaufort entrusted the Commissioners to make decisions in the best interest of the community. He said the Board evaluation process was cumbersome and it was time the Board work together and come to a conclusion.

Commissioner Hollinshed said the Board will likely come to a consensus much quicker than what may be expected. She said the Board had a lot of heavy items on their plate right now with the Harbor Committee, the Manager's evaluation, and the legislation requirements with 160-D.

Commissioner Hagle said there was a lot of thoughtful discussion today and everyone had been open and honest with one another. He said 160-D and the cost associated with those revisions was irritating and the General Assembly should work to make these types of revisions easier for small municipalities to maintain compliance.

Commissioner Hagle said the time had changed and may have some effect on peoples' sleep patterns. He said remember to drive defensively.

Mayor Newton said he appreciated the Boards ability to move through a very robust agenda with lots of good discussion.

[ADJOURN]

A motion was made by Commissioner Hagle to adjourn the meeting.
Mayor Newton called each Commissioner by name (roll call).
Roll call ensued.

VOTE: UNANIMOUS (5-0)

The meeting adjourned at 6:13 p.m.

Everette "Rett" Newton
Mayor

Allen Coleman
Town Clerk