



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

Board of Commissioners Work Session Meeting 4:00 PM Monday, August 22, 2022 Train Depot, 614 Broad Street Minutes

Call To Order

Mayor Harker called the meeting to order at 4:00 p.m.

Roll Call

Rachel Johnson, PIO/Parks & Events Coordinator/Deputy Clerk, called the roll and declared a quorum present as follows:

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

Debbie Lovick, 418 Tradd St in Beaufort, introduced herself as the President of Palmetto Plantation Master Association, explaining the association encompassed the neighborhood adjacent to Meeting Street. She noted they were not part of the Olde Beaufort Village Development. She provided history on Olde Beaufort Village Development, sharing there had been severe draining issues since the area was established in the early 2000s. She discussed a mediation settlement agreement that was entered in

2006 between Mercer Building Company and the Town of Beaufort, which resulted in the developer being named responsible for resolving the drainage issues. She shared the Palmetto Plantation Master Association was formed in 2007 and noted as part of their declaration, they were 100% financially responsible for the maintenance of the stormwater pond, which is Meeting Street's main drainage system.

Ms. Lovick provided the group with a handout that referenced a history of correspondence between Mercer and the Palmetto Plantation Master Association HOA; such information included financial notes, maintenance events, and other related items. She discussed there had been issues with the pump, float switch, pond levels, as well as communication with the Mercers addressing the problems. She acknowledged the Palmetto Plantation Master Association was actively trying to prevent the flooding through maintenance efforts of the stormwater pond. She explained that Olde Beaufort Village did not contribute financially to the Palmetto Plantation Master Association HOA, and that it was a difficult position to be in. She welcomed any suggestions on a more preventive drainage plan or ways to improve the situation.

Update from Town Attorney

1. Meeting Street

Arey Grady, shared the Town of Beaufort's Stormwater Ordinance, referenced as Section 54.01 (k); which explains that the responsibility of stormwater control is on the developer of the subdivision and ultimately the owner through a HOA. He described the issue with Meeting Street as an example that supported that part of the Ordinance, noting it was not the Town's legal responsibility to maintain stormwater control. Mr. Grady shared several recorded documents associated with Old Beaufort Village and surrounding developments. He referenced a map of Old Beaufort Village (Phase 1) and the restrictive covenants associated with the development; he confirmed there was no homeowner's association incorporated in the original covenants, but there was reference to a stormwater retention pond that would be maintained by a future phase of the development. He shared the Palmetto Plantation restrictive covenants, pointing out sections that referenced streets, easements, stormwater features, improvements, and drainage facilities. He explained this was a real estate matter, with one subdivision assuming responsibility for the stormwater drainage from another subdivision without any other ties to it. He discussed the management of the pumping station, pond and stormwater facilities, noting there were specific provisions as to what Palmetto Plantation HOA is required to do with the pump and pond.

There were several questions from the audience regarding the construction of Meeting Street and surrounding developments.

Mr. Grady reminded the audience that he was not part of the original development and pointed out that the maintenance of swells and other drainage features was not the Town's responsibility.

Kim Bell, 111 Calhoon Street, spoke from the audience to ask about the development process of any subdivision.

Mr. Grady explained professional engineers and surveyors played a vital role in the process, as well as the Town when it came to the streets and other areas.

Bruce Ireland, 210 Ruthledge Drive, spoke about the last flood Meeting Street experienced. He pointed out where the swells were located and suggested the ditches needed to be cleaned in the area.

Mr. Grady informed the group all of the documents he shared were available for inspection and concluded by commenting on the unique arrangement between subdivisions.

Commissioner Hollinshed asked how they could assist from this point.

Mr. Grady said while these are responsibilities of the developer, the Town could provide suggestions and help at their discretion, but it was important to remember if you help one development with their stormwater control, others might expect the same.

Commissioner Terwilliger noted it was clear from Mr. Grady's presentation that the Town does not have legal responsibility for stormwater control. He suggested the Town may be able to look at the availability of obtaining grants to help with the cost of the stormwater issues. He suggested the two neighborhoods get together to discuss common solutions and collaborative efforts to solve the issue at hand.

Commissioner Hagle expressed that he believed the two groups of citizens should try to reach a common solution. He added maybe the Town could provide engineering suggestions on something that might help improve the situation, noting it was a very complex system that requires much maintenance.

Commissioner Oliver suggested the greatest solution could be found by getting a large number of people together from the neighborhoods to try and reach a common solution. He noted that in the documents Mr. Grady shared, the need for pumping down the pound in anticipation for storms was stated.

Commissioner Cooper suggested the Town should do anything possible to help resolve the with the flooding issues occurring in those neighborhoods.

Mayor Harker echoed the Commissioners comments and stressed the importance of the neighborhoods working together. She also thanked Ms. Lovick for her comments and background information on each development.

Presentations

1. Regroup Beaufort Emergency Alerts

Ms. Johnson provided information on a new emergency alert system that is being utilized by staff to share information such as weather alerts, road closures, etc. She shared anyone who wished to be registered to receive the alerts can do so by visiting the Town's website or contacting her directly.

2. Wayfinding Signage

Ms. Johnson presented a Wayfinding Signage project, providing history and defining specific needs throughout Town. She noted effective ways to prepare the Wayfinding Signage, which focused on simplicity, visibility, consistency, location, collaboration, and creativity. She shared the design components of the proposed signage and recommended sizes and locations for each. She specifically noted a special design for the Turner Street Bridge plaque, shared that staff would like to move this portion of the project completion following the standards established by NCDOT and SHIPO with the agreed design. Ms. Johnson also discussed parking signs and suggested addressing those as a separate phase of the project working within the proposed design and in conjunction with the Parking Management team. She shared to move the project forward, staff requests the Board consider approving the proposed aesthetic design and destinations. If approved, staff will continue to work on identifying exact locations, sign placement, etc., as well as work with CCBS to ensure the signage contains necessary verbiage and directional cues. She noted there is currently \$60,000 allocated in the FY 2022-2023 Budget for Wayfinding Signage and \$10,000 for park signage.

Commissioner Hollinshed shared she liked the boldness of the proposed signs, and the fact that the Town Seal had been incorporated.

Commissioner Terwilliger asked what the next step was for the Board.

Ms. Johnson explained to move the project forward, staff requests the Board consider approving the proposed aesthetic design and destinations.

Commissioner Hagle suggested adding Oceanview Cemetery to the list of locations.

Commissioner Oliver noted he liked the standardized look of the sign with the Town seal located on the top of it; he suggested making sure all the signs had the same design, for consistency. He also requested staff double check the map to ensure there had not been any areas overlooked in preparing the proposed signage layout.

Mayor Harker noted she liked the yellow border on the signs. She also suggested added the Farmers Market as a location, noting the hours of operation could be listed on the sign.

Commissioner Hagle made a motion to approve the Wayfinding Signage project as presented; advising staff to move forward with the design and destinations, the Turner Street Bridge plaques, and durable post for the signage.

Items for Discussion and Consideration

1. Evidentiary Hearing Orders for Case #22-05; Case #22-11; and Case #22-16

Kyle Garner, Planning Director, explained the orders were associated with cases discussed in a previous meeting and final review/approval from the Board was needed.

Commissioner Hagle suggested placing under Items of Consent for the September Regular Meeting.

Commissioner Terwilliger made a motion to approve the Evidentiary Hearing Orders for Case #22-05; Case #22-11; and Case #22-16 as presented.

The motion carried with a 4-1 vote; Commissioner Hagle voting in opposition.

2. Conflict of Interest Policies

Todd Clark, Town Manager, noted several grants require the Town have a Conflict of Interest Policy in place before any funds can be awarded. Mr. Clark explained Jill Quattlebaum, Town Attorney and Barbara Cooper, Human Resources Manager composed the Conflict of Interest Policies before the Board for consideration. He reviewed the proposed policies included in the meeting packet.

Commissioner Hagle commented on firearms, questioning whether or not employees should be allowed to possess any on Town property.

Mr. Clark noted currently, the only employees permitted to carry a gun on Town property were those who are sworn law enforcement officers.

Commissioner Hagle questioned whether or not an employee should be allowed to leave a firearm in their vehicle in a Town parking lot.

Mr. Grady suggested researching constitutional issues regarding firearms before making any amendments to the Town's current policy.

Mayor Harker deemed a consensus to place the proposed Conflict of Interest Policies under items for discussion and consideration at the September 12th Regular Meeting.

3. Volunteer Board Appointments

Mr. Clark explained staff was requesting appointments be made to the following volunteer boards: Carteret County Beaufort Airport Authority (1) Two-year term position; and Parks & Recreation Advisory Board (2) Four-year term positions.

Commissioner Terwilliger made a motion to excuse Commissioner Oliver from participating in the nomination and voting process associated with the Carteret County Beaufort Airport Authority.

The motion carried unanimously.

Commissioner Terwilliger made a motion to open the floor for nominations to the Carteret County Beaufort Airport Authority.

Commissioner Cooper nominated Charles "Bucky" Oliver to fill the two-year position.

Commissioner Terwilliger made a motion to close the floor for nominations to the Carteret County Beaufort Airport Authority.

The motion carried unanimously.

Mayor Harker called for a vote of the nominated applicant, Bucky Oliver.

Voting in favor of Mr. Oliver: Commissioner Cooper, Commissioner Hagle, Commissioner Terwilliger, Commissioner Hollinshed.

Commissioner Hagle made a motion for Commissioner Oliver to rejoin the meeting.

The motion carried unanimously.

Commissioner Hagle made a motion to open the floor for nominations to the Parks & Recreation Advisory Board.

The motion carried unanimously.

Commissioner Hollinshed nominated Meg Risser.

Commissioner Terwilliger nominated Peter Crumley.

Commissioner Hagle nominated Doug Williams

Commissioner Oliver made a motion to close nominations to the Parks & Recreation Advisory Board.

The motion carried unanimously.

Voting in favor of Ms. Risser: Commissioner Hollinshed

Voting in favor of Mr. Crumley: Commissioner Cooper, Commissioner Oliver, Commissioner Hagle, Commissioner Terwilliger, Commissioner Hollinshed.

Voting in favor of Mr. Williams: Commissioner Cooper, Commissioner Oliver, Commissioner Hagle, Commissioner Terwilliger.

Mayor Harker confirmed Mr. Crumley's re-appointment and Mr. Williams as a new appointment to the Parks & Recreation Advisory Board.

4. Walking Permit- Hungry Town Tours

Ms. Johnson explained David Cartier with Hungry Town Tours submitted a Walking Tour Application, noting it was a renewal request. She requested the Board of Commissioners set a public hearing date to consider the application, as per Section 90.30 of the Town of Beaufort Code of Ordinances.

The applicant, David Cartier, provided background on Hungry Town Tours and shared a description of the Walking Tour route which was submitted as part of the application.

Commissioner Hagle made a motion to set the Public Hearing date as September 12, 2022.

The motion carried unanimously.

5. BBA Music in the Park Events

Ms. Johnson shared the Beaufort Business Association submitted an event application request to host a series of (8) Music in the Park Events at John Newton Park on Thursday evening from 6-8 p.m. She discussed details from the application and noted due to short notice, a decision on the event was needed at the current meeting. Ms. Johnson explained the applicant was requesting the electricity fee be lumped together to incorporate all event dates under the \$50 rate, as it had been done in the past.

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

The motion carried unanimously.

6. Budget Amendment- 1809 Live Oak Street Water and Sewer Main Extensions

Mr. Clark asked the Board to consider approving a budget amendment transferring \$198,000 from the Capital Reserve Fund based upon staff's estimate of the cost to extend water and sewer lines to 1809 Live Oak Street. He explained upon approval, the funds will be transferred to a capital project fund created for the 1809 Live Oak Street Water and Sewer Main Extensions project.

Commissioner Terwilliger requested Ms. Wood, at a future time, provide the Board with an update regarding the balance of the Water/Sewer Fund, and how the budget will be impacted.

Commissioner Hagle made a motion to place the item on the September 12th Regular Meeting agenda under items of consent.

The motion carried unanimously.

7. FY 2023 Budget Amendment #4

Mr. Clark explained FY 2023 Budget Amendment #4 as follows: General Fund appropriation of fund balance for a police vehicle budgeted and ordered in FY22 but not received prior to June 30, 2022; the amount being \$35,000. Utility Fund appropriations of fund balance for a water department truck that was budgeted and ordered in FY22 but not received prior to June 30, 2022; the amount being \$41,000.

Mayor Harker deemed a consensus to place the item on the September 12th Regular Meeting agenda under items of consent.

8. July Financial Notes

Mr. Clark referenced the notes provided in the meeting packet and asked for any questions.

There were no questions; no action was taken.

Mayor/Commissioner Comments

Commissioner Hollinshed had no comments.

Commissioner Terwilliger thanked the Public Works staff for installing the four-way stop signs at the Ann Street and Live Oak intersection. He gave an update from the Eastern Carolina Council (ECCOG), discussing future round-about projects, one at the Lennoxville/Live Oak intersection and the other at the Highway 101/Live Oak intersection. He also mentioned a project would be starting soon to widen Highway 17 to four lanes. He asked for an update on LDO and Subdivision changes at the next meeting. He also requested a standardized project/engineer report be provided on a periodic basis, to track workflow and project information. He ended his comments by requesting a report on dredging that specifically shows how funding is obtained, spent, and utilized for yearly projects.

Commissioner Hagle requested an update on the deteriorating house at 1111 Fulford Drive. He gave a safety message on being a cautious driver.

Commissioner Oliver thanked the Board for his appointment to the Airport Authority. He mentioned recent sales tax data and discussed year to year growth. He discussed the Godette property and 104 Chestnut, confirming the status of each, and asking for a following up before the next meeting.

Commissioner Cooper asked for an update on a previously mentioned property on Cedar Street, the Bail Bondsman lot, noting it was an eye sore to the community. He commended the Town staff for their continued hard work.

Mr. Clark commented on the Godette property, sharing the Town does not have the details on the agreement between the property owner and North Carolina Preservation; only that there is a progress benchmark date of end of Q3 2023. He suggested it came down to whether or not the Board wanted to pursue the demolition process again, which would need to be started over. He noted several attempts had been made to discuss the status of the project with the property owner and conversations did not provide clear answers or a timeline to the Town. Mr. Clark said he would reach out to the owner again, to stress the importance of transparency to the Board on this project.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 5:58 p.m.

The motion carried unanimously.

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk