



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

Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516 Held Electronically through Zoom due to COVID-19 Pandemic Monthly Meeting

Call to Order

Roll Call

Agenda Approval

Calendar

- [1.](#) Schedule of Events for May 2020 and June 2020

Public Comment

Project Updates

- [1.](#) Project Updates on Infrastructure, Parks, and 400 Pollock Street

Manager Report

Items of Consent

- [1.](#) Voluntary Annexation for Old Seaport Development, LLC (153 Aqua 10 Road and 103 Aqua 10 Road) Doug Brady
- [2.](#) Resolution Designating Applicant's Agent required by NC Department of Emergency Services for FEMA 4487-DR-NC
- [3.](#) Draft Minutes for the March 30, 2020 Work Session, the April 13, 2020 Regular Meeting, the April 23, 2020 Special Meeting, and the April 27, 2020 Work Session
- [4.](#) Revised Budget Calendar

Public Hearing

- [1.](#) Case 19-12 Text Amendment - Lower Live Oak Overlay District
- [2.](#) Case 19-13 Lower Live Oak Corridor Overlay District

Items for Discussion and Consideration

[1.](#) FY 20 Budget Amendment #12

Mayor/Commission Comments

Adjourn



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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Calendar
SUBJECT: Schedule of Events for May 2020 and June 2020

BRIEF SUMMARY:

All meetings of the Board of Commissioners, Planning Board, Board of Adjustment, Historic Preservation Commission and the Parks and Recreation Advisory Board will be held through the Zoom meeting platform or cancelled. Please keep checking the website for notifications regarding monthly scheduled meetings.

Olde Beaufort Farmers Market is now Open on Saturdays.

Big Rock Fishing Tournament will be held June 5, 2020 through June 13, 2020.

REQUESTED ACTION:

Receive Information

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Michele Davis, Town Clerk/Human Resources Officer

BUDGET AMENDMENT REQUIRED:

No



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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Project Updates
SUBJECT: Project Updates on Infrastructure, Parks, and 400 Pollock Street

BRIEF SUMMARY:

Receive project updates on infrastructure, parks and 400 Pollock Street.

400 Pollock Street—Myrick Howard and Maggie Gregg of Preservation NC have both received a copy of the minutes and motion from the April 27, 2020 BOC Work Session outlining the actions that should be taken. Preservation NC and the family have until June 1, 2020 to weatherproof the building.

REQUESTED ACTION:

Receive information

EXPECTED LENGTH OF PRESENTATION:

10 minutes

SUBMITTED BY:

Greg Meshaw, Town Engineer

BUDGET AMENDMENT REQUIRED:

No



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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Voluntary Annexation for Old Seaport Development, LLC
(153 Aqua 10 Road and 103 Aqua 10 Road) Doug Brady

BRIEF SUMMARY:

During the April 13, 2020 Regular Monthly meeting the Board of Commissioners approved a Resolution Directing the Clerk to Investigate the Petition. The investigation has been completed with the Certificate of Sufficiency attached as part of this packet. The next step in the process is to set a public hearing for the voluntary annexation request. The requested date for the public hearing is June 8, 2020.

REQUESTED ACTION:

Accept the Certificate of Sufficiency and set the Public Hearing for Monday, June 8, 2020.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Michele Davis, Town Clerk

BUDGET AMENDMENT REQUIRED:

No



CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Beaufort of Beaufort, North Carolina:

I, Michele Davis, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160-A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Beaufort, this 11th day of May 2019.

(SEAL)

Michele Davis, Town Clerk



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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Resolution Designating Applicant's Agent required by NC
Department of Emergency Services for FEMA 4487-DR-NC

BRIEF SUMMARY:

The Designation of Applicant's Agent names Christi Wood, Finance Director and John Day, Town Manager as Primary and Secondary Agents authorized to execute and file applications on behalf of the Town for obtaining State and Federal financial assistance. (Required for FEMA reimbursement)

REQUESTED ACTION:

Approve the Designation of Applicants Agent

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Christi Wood – Finance Director

BUDGET AMENDMENT REQUIRED:

No

**RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management**

Organization Name (hereafter named Organization) Town of Beaufort	Disaster Number: 4487
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start Month: July Day: 01	
Applicant's Federal Employer's Identification Number 56 - 6001173	
Applicant's Federal Information Processing Standards (FIPS) Number 031 - 04260 - 00	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Christi Wood	Agent's Name John Day
Organization Town of Beaufort	Organization Town of Beaufort
Official Position Finance Director	Official Position Town Manager
Mailing Address 701 Front Street	Mailing Address 701 Front Street
City, State, Zip Beaufort, NC 28516	City, State, Zip Beaufort, NC 28516
Daytime Telephone (252) 728-2141	Daytime Telephone (252) 728-2141
Facsimile Number (252) 728-3982	Facsimile Number (252) 728-3982
Pager or Cellular Number (252) 258-8600	Pager or Cellular Number

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 27th day of 20, 2020

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name Michele Davis
Name and Title	Official Position Town Clerk
Name and Title	Daytime Telephone (252) 728-2141

CERTIFICATION

I, Michele Davis, (Name) duly appointed and Town Clerk (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Town of Beaufort (Organization) on the 27th day of April, 2020.

Date: _____ Signature: _____

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Items of Consent

SUBJECT: Draft Minutes for the March 30, 2020 Work Session, the April 13, 2020 Regular Meeting, the April 23, 2020 Special Meeting, and the April 27, 2020 Work Session

BRIEF SUMMARY:

Draft Minutes for the March 30, 2020 Work Session, the April 13, 2020 Regular Meeting, the April 23, 2020 Special Meeting, and the April 27, 2020 Work Session

REQUESTED ACTION:

Consider Approval of the draft minutes as presented or amended.

EXPECTED LENGTH OF PRESENTATION:

2 minutes

SUBMITTED BY:

Michele Davis, Town Clerk

BUDGET AMENDMENT REQUIRED:

No



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Town of Beaufort Board of Commissioners Work Session Meeting 4:00 PM Monday, March 30, 2020 - Town Hall Conference Room, 701 Front Street, Beaufort, NC Minutes

Call To Order

Mayor Newton called the meeting to order. Due to the COVID-19 pandemic the meeting was held electronically through the Zoom meeting platform.

Roll Call

Town Clerk Davis called roll and declared a quorum present.

Agenda Approval

Mayor Newton asked the commissioners to please consider moving Item 15 under Items for Discussion and Consideration to first item for discussion.

A motion was made to approve the agenda as amended.

Motion made by Commissioner Hagle.

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

Public Comment

No public comments were made.

Presentation

1 FY 19 Audit Presentation

Ko-Tang Moses of Martin Starnes, CPA presented the audit report with an unmodified opinion. She indicated the audit had been presented to the Local Government Commission (LGC) and had been accepted.

Items for Discussion and Consideration

1 Draft Minutes of the March 9, 2020 Regular Meeting

This item was placed on the agenda under Items of Consent.

2 Voluntary Annexation Request for Old Seaport Development, LLC (153 Aqua 10 Road and 103 Aqua 10 Road) Doug Brady

Town Clerk Davis reported the developers, Old Seaport Development, LLC had petitioned the town for voluntary annexation in order to receive water and sewer services. Town Clerk Davis indicated the board needed to approve the Resolution Directing the Clerk to Certify the Sufficiency of the Petition.

This item was placed on the agenda under Items of Consent.

3 Adoption of Carteret County Emergency Operations Plan

Chief Tony Ray reported the Carteret County Emergency Operations Plan needed to be adopted by the town in order to receive points for the Community Rating System (CRS). The CRS program is part of the National Flood Insurance Program (NFIP). By adopting the plan, the Town of Beaufort will be in line with all other municipalities in Carteret County.

This item was placed on the agenda under Items of Consent.

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

Planning and Inspections Director, Kyle Garner indicated the request was for parcels currently not consistent with the CAMA Land Use Plan. He continued by informing the board members the Planning Board had unanimously recommended moving forward with the rezoning. Mr. Garner did also inform the board members Gene Foxworth of Carteret County Government expressed concerns over the rezoning of property adjacent to the courthouse and jail. He indicated Mr. Foxworth believed the rezoning could impact what Carteret County had planned for the vacant properties.

Commissioner McDonald expressed concern over the implications of the county not being able to use the property for planned expansions. He asked the board members to please seriously consider the request and the future plans of the county. Mr. Garner indicated the staff believed the rezoning would bring more consistency to the selected parcels. In response to a question from Commissioner Hagle regarding the impacts of the rezoning, Mr. Garner indicated the changes would go from B-1 to Transitional which provided more opportunities for development.

This item was set for a public hearing on Monday, April 13, 2020.

5 Case 19-12 Text Amendment - Lower Live Oak Overlay District

Planning Director Garner indicated the text amendment would incorporate specific features for the lower portion of Live Oak Street just had been done for the Cedar Street Mixed Use District. He reported the Planning Board with some slight modifications had recommended approval by the Board of Commissioners.

Commissioner Hagle expressed concern over having a public hearing on a contentious subject as this through an electronic meeting.

During discussions, the board members agreed to table the request for a public hearing until the May 2020 meeting.

6 Case 19-13 Lower Live Oak Corridor Overlay District

Due to concerns over holding a public meeting for an item of this magnitude, the board members agreed to table until the May 2020 meeting.

7 FY 20 Budget Amendment #10

Finance Director, Christi Wood indicated the budget amendment was for the completion of the renovations on the police department annex, install security cameras and to outfit the training room. In addition to those items, Ms. Wood indicated funds were available from the sale of surplus equipment in order to purchase an aging truck for Public Works so the request included \$12K with the third item for additional legal services. The request totaled \$92K and would be taken out of General Fund.

This item was placed on the agenda under Items of Consent.

8 Residential Solid Waste Fee Increase

Finance Director Wood indicated the contract with Waste Industries allowed for a fee increase which was built into the contract. The fee increase is based on the CPI. This year the amount of increase by 2.1% per household and will be on the April billing received in May. The actual increase per household is .39 cent per household per month.

This item was placed on the agenda under Items of Consent.

9 Amending Code of Ordinances Chapter 52 Water Billing

Town Manager Day asked the board members to please consider amending Chapter 52 of the Town of Beaufort Code of Ordinances. He indicated the ordinance needed to be amended to allow the town the ability to decide whether to charge a late fee during times of need.

In response to questions from board members regarding the consistency of the application of the decision, Town Manager Day indicated the decision would be based on circumstances for each citizen and for hardships.

A motion was made to approve the amendment to Chapter 52 Water Billing of the Town of Beaufort Code of Ordinances for immediate implementation.

Motion made by Commissioner Hagle.

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

10 FY 21 Budget Calendar

This item was placed on the agenda for Items of Consent.

11 FY 20 Audit Contract

Finance Director Christi Wood indicated the contract would be with Martin Starnes, CPA again and is the same as it has been in the prior years. This item was placed on the agenda under Items of Consent.

12 BDA Funding Request

Rachel Johnson indicated the Beaufort Development Association had submitted request for items to be purchased with the parking funds of which \$6100 was available for the request. Mayor Newton indicated the full request was for \$7500 and he asked the board members to please consider finding the funding for the entire amount.

Ms. Johnson indicated the BDA had also requested funding for wreaths to be used uptown totaling near \$10K. Town Manager Day recommended consideration for the wreaths to be done during the budgeting process and meetings.

The board decided to request the budget amendment to include the additional \$1400 in the total of the amendment for the regular meeting.

13 February Financial Report

Ms. Wood indicated she did not have any concerns with the financial report at this time. She indicated the tax collection was still being done for the past couple of years and the collection rate is currently at 95.87% for 2019.

Commissioner Harker asked about the expenses being reimbursed for the COVID-19 event. Ms. Wood indicated FEMA had been approved and the town has already completed the application for consideration.

14 Crystal Coast Half Booty Triathlon

Rachel Johnson indicated the request is to reschedule the triathlon for Sunday, October 11, 2020.

This item was placed on the agenda under Items of Consent.

15 Extension of Sewer Service to House of Silk Flowers/ Channine Business Park and Sewer Allocation

Don Kirkman thanked the board members for allowing him to present this proposal on behalf of the Economic Development Department of Carteret County. Mr. Kirkman indicated the proposal was for consideration of water and sewer utilities extension to the House of Silk Flowers located just north of Parker Boats on Hwy 101. He further indicated there was also the request for consideration of sewer allocation for a proposed business park for proposed light manufacturing type space. He also indicated the request was for the town to please consider being a grant applicant for one or more grants for the infrastructure inside the business park.

Town Manager Day indicated the staff recommended approval of the request with some specifics as identified in the summary provided in the packet outlining the proposed allocations needed. Town Engineer Greg Meshaw indicated the recommendation for sewer allocation was 28,000 gallons for the proposed business park. He further indicated the agreement was to allow an extension by staff of the allocation if after 18 months the business park had not used all the allocation. Any other extensions past the first six-month extension would have to be approved by the board members. Mr. Meshaw indicated this was a preview of the overall allocation policy that will be provided later. The potential agreement also included a requirement for voluntary annexation into the town.

Town Manager Day asked Mr. Kirkman to please provide the potential for additional requests from businesses in the same area. Mr. Kirkman indicated there were three additional properties between House of Silk Flowers and Parker Boats for which the owners may be interested in also connecting to the water and sewer services from the town.

In response to a question from Commissioner Carter, Mr. Meshaw indicated the amount of sewer allocation per business would be based on the type of business as well as the number of employees. He indicated the State of NC had guidelines and regulations which must be followed.

In response to a question from Commissioner Harker regarding the annexation of the property, Town Manager Day indicated the town would require a voluntary annexation application be submitted but not before the properties have been developed. He reported the Fire Department already served the area, but upon annexation, the property would also begin receiving police service protection.

Commissioner McDonald asked if residential requests would also be considered to tap into the line. Mr. Day indicated that would be up to the board members but there were already agreements in place with subdivisions in the general area. He continued by saying there is always the option people could ask for consideration on a case by case basis.

Commissioner Hollinshed stated she was concerned about tying up allocation and voluntary annexation for satellite areas. She also mentioned the solid waste transfer collection site and the value of the project for the town. Mr. Day indicated the county property would not be part of the annexation petition. Mr. Kirkman indicated he did not see any adverse impacts on the requests being discussed.

Commissioner Hagle indicated he thought the transfer station was being relocated. He also indicated he was concerned about the sewer allocation and the town's need to track it as we look down the road. He also expressed concern over the annexation and as to whether Eastman Creek would also ask for annexation. Town Manager Day indicated it would be harder for

Eastman Creek to request annexation since every single property owner would have to sign for the annexation process to begin. Additionally, Commissioner Hagle asked about the cost and effort of the town being involved with the grant. Town Manager Day and Mr. Kirkman indicated the work for the grant would be completed by the Economic Development department and the town would only be the signer. Commissioner Hagle indicated he did not want any further expenses paid by the town for the grant processing and application.

In response to a question regarding who would manage the grant, Mr. Kirkman indicated there were options for the grant to be managed by a third party. The developer would be responsible for any associated fees of the third party.

In response to a question from Commissioner McDonald, Town Manager Day indicated the water rate would be the same as if the property was not annexed into the limits.

Mayor Newton indicated the item would be on discussion and consideration at the next board meeting.

16 Purchase of Ladder Truck for Fire Department

Chief Ray indicated the request was for approval of a financing rate with Branch Banking and Trust (Truist) for up to an amount of \$1.1 million. The estimated annual payment would be \$86K per year for 15 years at 2.9%.

Town Manager Day indicated this request was for approval of the resolution for financing with BB&T/Truist. He further stated the actual financing would have to come back to the board of commissioners for final approval.

This item was placed on the agenda under Items for Discussion and Consideration.

17 Painting of Parking Space Lines

Commissioner Hollinshed asked the board members to please consider better identification of available parking spaces without blocking drive ways and parking only on one side of the street. Commissioner Harker indicated she supported the idea since the town would be able to better micromanage the parking opportunities.

Commissioner Harker also asked the board members to please consider exploring one way streets in town.

Mayor/Commission Comments

Commissioner Carter commented the town should consider suspending paid parking this season.

Commissioner Harker also indicated she believed the paid parking needed to be considered. She gave Town Manager Day accolades for getting information out and she thanked the Mayor for his videos. She encouraged everyone to be careful during this COVID-19 event.

Commissioner McDonald indicated he had enjoyed the meeting and it was a good meeting. However, he was not able to pull up the agenda today.

Commissioner Hollinshed indicated everyone would have a hardship one way or another during these uncertain times.

Commissioner Hagle indicated it had been frustrating times for many people. He thanked staff for all the work being done. He also thanked folks working in the health care industry.

Mayor Newton indicated 1307 cases in the state, 11 cases in Carteret County with 6 deaths in the state from the Coronavirus. He further indicated he appreciated all the work being done by the community and town staff.

Adjourn

A motion was made to adjourn the meeting.

Motion made by Commissioner Hagle.

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

Mayor Everette S. (Rett) Newton

Michele Davis, Town Clerk



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

Call to Order

Mayor Newton called the meeting to order.

Roll Call

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

Agenda Approval

A motion was made to approve the agenda as presented.

Motion made by Commissioner Hagle.

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

Calendar

1. Schedule of Events for April 2020 and May 2020

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

Public Comment

No public comments were made.

Project Updates

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

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

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

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

Manager Report

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

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

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

Commissioner Carter commended the staff for hard work.

Items of Consent

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

Motion made by Commissioner Hagle.

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

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

Public Hearing

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

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

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

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

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

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

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

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

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

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

Motion made by Commissioner Hagle.

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

Voting Nay: Commissioner McDonald

Items for Discussion and Consideration

1. Purchase of Ladder Truck for Fire Department

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

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

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

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

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

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

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

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

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

Motion made by Commissioner Carter.

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

2. BDA Funding Request

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

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

Motion made by Commissioner Hagle.

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

3. Residential Solid Waste Fee Increase

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

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

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

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

A motion was to approve the price increase as presented.

Motion made by Commissioner Carter.

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

Voting Nay: Commissioner McDonald

Mayor/Commission Comments

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

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

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

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

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

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

Adjourn

A motion was made to adjourn the meeting

Motion made by Commissioner Hollinshed.

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

The meeting adjourned at 7:30 pm.

Mayor Everette S. (Rett) Newton

Michele Davis, Town Clerk



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

Town of Beaufort Board of Commissioners Special Meeting 3:00 PM Thursday, April 23, 2020 - Train Depot, 614 Broad Street, Beaufort, NC 28516-- Electronically through Zoom Platform due to COVID-19 Minutes

Call to Order

Mayor Newton called the meeting to order.

Roll Call

Mayor Newton called the meeting to order and declared a quorum for the meeting.

PRESENT

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

Agenda Approval

A motion was made to approve the agenda as presented.

Motion made by Commissioner Hollinshed.

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

Presentations

1. NC Preservation 400 Pollock Street

Mayor Newton asked for a motion to recuse Commissioner McDonald from the discussion of 400 Pollock Street. Commissioner Harker made the motion. The vote was unanimous.

Myrick Howard and Maggie Gregg of Preservation NC were present to discuss the potential purchase/sell of 400 Pollock Street.

Mr. Howard began by showing a power point presentation of many structures Preservation NC had been instrumental in helping restore. He indicated the Preservation NC (PNC) group was a non-profit group dedicated to helping raise funds for restoration projects with significant historical value.

Maggie Gregg indicated she had communicated with the family and the proposal was to purchase the property from the family and then resell to an interested investor. She indicated the structure could be contributing and there would be protective covenants for the property moving forward.

Commissioner Hagle asked Mr. Howard and Ms. Gregg if they had seen the property. Neither of them had seen the property in person due to the Stay at Home order regarding COVID-19, but they did indicate they were able to review reports provided from the Town of Beaufort Building Inspector and the Fire Department. Commissioner Hagle also asked if PNC would be securing the exterior of the building and rehabilitating the inside or would they immediately sell the property. Mr. Howard responded the idea was to take care of immediate needs and then allow the buyer the opportunity to take advantage of the tax credit available for restoration. Mr. Howard indicated the exterior of the building would need to be preserved before selling the property.

In response to a question from Commissioner Hollinshed regarding the immediate needs of the structure, Town Planning and Inspection Director Kyle Garner indicated the most immediate needs were to repair or cover the window openings as well as cover the outside of the top floor since the siding had recently been removed. Commissioner Hollinshed also asked about if the family was selling the property directly to PNC or if not, how long might the property remain on the market before a buyer is found. In addition, she also asked about what party would be responsible for the structure until it is purchase by PNC or an investor. In response to her questions, Mr. Howard indicated the actual closing make take some time while title work is completed.

Town Attorney Arey Grady indicated it was not unusual for the time to be around six months' time. He also asked about what party would be responsible for the weather insulation. Mr. Howard indicated PNC would with the family and the town on how best to deal with the securing of the outside of the building.

Commissioner Hollinshed asked about what if the action did not come to fruition. Mr. Howard indicated the building would need to be condemned and demolished. Town Attorney asked about a partition proceeding if the owners were not all on the same page. Ms. Gregg indicated that would not be an issue since all family members are on the same page. Mr. Myrick indicated there was a verbal offer to help the family with this property. Mr. Howard indicated if the town agreed and the family was also in agreement then a contract could be agreed upon with forward movement. He did indicate he thought it may take some time to get a contract in place since the family was large and all signatures would be needed.

Commissioner Hollinshed stated a contract should not take that long making a title change easier since there would not need to be a partition proceeding. She also asked about what kind of covenants would be placed on the property. Ms. Gregg indicated PNC would help the owners plan out the rehabilitation of the structure.

Once again, Commissioner Hagle asked which party would be responsible for the structure until the closing and how long might the closing take before completion. Mr. Howard responded it could take two to three months if it did not go to partition. Mr. Howard further commented the second story will not be coming down but will be looked at for rehab. He asked if the siding was off the building.

Town Manager Day indicated the structure was cinder block on the bottom there was siding on the top part. Commissioner Hagle asked who will protect the building until it is sold. Mr. Howard indicated he was at a disadvantage since he had not seen the building and it would all need to be figured out and money raised. Mr. Howard also commented the renovation process would look worse before it got better.

Commissioner Harker asked if the contingency plan was for partition if agreement could not be reached with the family members. She also asked about how it would be preserved or sealed prior to obtaining the property from the family and if PNC was prepared financially to deal with the family. Commissioner Harker also asked how long a capital campaign would last and if PNC would be able to save any of the history on the inside of the building.

In response to questions, Mr. Howard indicated plastic wrapping such as Tyvek could be used to weatherproof at the time of ownership. Commissioner Harker indicated she did not believe it would hold up that long. Commissioner Carter stated window glass had already fallen out onto the sidewalk and it was a safety hazard. Mr. Howard indicated the money will be figured out, but a contract would not be signed without money in hand to perform the weather proofing.

Ms. Gregg indicated PNC would work with the family for a price agreement and start the funding process. In response to Commissioner Harker's question about historical attributes, Mr. Howard indicated the structure would have protective covenants. He indicated understood the upper floor was more likely a private living space. He indicated the building could be right for mixed use.

Commissioner Hollinshed asked for Mr. Howard to elaborate on his statement and what was the history of the building. Mr. Howard indicated Davis Cecelski's article referenced it was a hotel catering to the African American people for lodging, but it was not a green book lodging facility. Commissioner Harker indicated there were few properties that allowed insight into Black History and this structure was an anchored piece for the community. Ms. Gregg indicated the article was a great starting point because interested investors want to know as much information as possible.

Commissioner Carter indicated she was a child when the building was first built, and it was originally a family home. She indicated she often knew of the family taking in travelers and giving them a place to stay. She did express concern the family has had many opportunities to sell but was not able to get agreement from all involved. Commissioner Carter indicated if the building was to be preserved, then a stabilization of the outside would need to take place immediately. She also asked what would happen if they had to go to partition. Mr. Howard commented if partition process became the issue, they would do not arm twisting and if PNC did not buy then the town would tear it down. He indicated he hoped it would not get to that point, but it would take some time. Commissioner Carter indicated if an agreement could not be reached then nothing could be done but demolition. She continued by saying a vote had been taken on two occasions to demolish and it was time to face reality.

Town Attorney Arey Grady indicated there was a recorded demolition ordinance. In response to a question from Commissioner Carter, Town Attorney Grady indicated he would look to PNC for a time for the process, but he had heard 90 days in a previous statement. He asked what would be done in the interim and by whom. He did suggest the Building Code Administrator, Tobbie Bowden, provide some input on how to best weatherproof the building.

Commissioner Harker indicated she agreed to allow PNC due diligence for 90 days. Town Attorney Grady indicated he heard 90 days but no commitment to that time frame so a possible extension could be needed. Commissioner Hagle indicated the structure needed to be secured immediately.

Mr. Howard asked if there was an engineering report on the building. Town staff indicated there was not a report that had been provided. Ms. Gregg indicated a potential private buyer had an engineering report. Once again, all commissioners asked about what party would be securing the building which needed to be done immediately. Commissioner Carter asked what the plan would be after 90 days if movement had not been made.

Town Manager Day indicated a specific period need to be decided upon to secure the outside and for the process of purchasing to take place. The board agreed on the 90 days with the 30 days to weatherproof to run concurrently. Once again, the question was asked who would pay for the weather proofing. Mr. Howard indicated the town was putting PNC in a bad position to pay for something before the property had been acquired.

Family member Stephanie Dauway thanked the board members for allowing the family to speak on the matter. She indicated she was the family spokesperson. Ms. Dauway indicated there were

only three to four family members from which to get signatures. Ms. Dauway indicated they were all in agreement with the proposed plans. Ms. Dauway indicated the family was securing funding through fund raisers and donations for shoring up the structure and were able to work with PNC.

Commissioner Carter it was great the family had the funds to help stabilize the outside of the building. Commissioner Hagle asked if the 90 days were definite or if the town should allow for an extension. Town Attorney Grady indicated to stick with the 90 days and cross the bridge for an extension if needed. Additionally, he added if all the family members agreed with the proposal of selling to PNC, then the contract execution should only take a few days or weeks. Commissioner Harker indicated she was grateful the commissioners were taking another look at saving the structure.

Mr. Howard indicated he was appreciative of the town and the family having this conversation but did indicate it would take some time to bring the funds together to move forward. Ms. Gregg thanked everyone for talking about the structure and challenges.

Items for Discussion and Consideration

1. Update on COVID-19 Conditions in Carteret County

Mayor Newton read the information below.

February 28th – We started COVID-19 public dialogue during town retreat

March 2nd – Launched our first COVID-19-specific update video

March 3rd – First COVID-19 case in North Carolina

March 17th – Beaufort declares State of Emergency

March 19th - Carteret County Board of Commissioners declare State of Emergency

March 20th – First COVID-19 case in Carteret County

March 23rd – Issued stay at home proclamation effective March 25th

March 27th thru 29th – Flood of visitors to Beaufort with many not adhering to COVID-19 social distancing and hygiene measures

March 29th – Stay at home proclamation restated and amended to include road closures effective

March 31st

March 30th – Carteret County Board of Commissioners amended their March 19 State of Emergency proclamation late Monday afternoon to prohibit the rental of a hotel room, motel room, rental housing unit, condominium, RV campsite, primitive campsite, or similar accommodation for less than 30 consecutive days through April 29, effective at 5 pm today, March 30

April 3rd – Rachel Carson Reserve closes

April 9th – Checkpoint on Turner St begins

April 19th – Checkpoint on Turner St discontinued

April 20th – Barriers removed on Highway 101 and Live Oak St

April 22nd – Restated proclamation to start to reduce measures on April 24th to match Governor Cooper's executive orders

- Today, April 23rd, the Carteret County Health Department is reporting:

o27 total cases

o19 have recovered

o5 active positive cases

o3 deaths

- Across the county, cases have been consistently stable at 5 active positives

- Our measures have been implemented based on data and our current posture to reduce measures is similarly based on data and consultations with medical professionals

- Our decisions have not been based on emotions or politics

- We continue to monitor data at both county and state levels, and should the threat increase, we are prepared to respond according to threat levels

COVID-19 Threat Levels

Level 1 – Manageable number of positive cases in Carteret County. Heightened awareness.

Open vehicular access through Beaufort's three entry/exit points. Social distancing (including hygiene) and Governor Cooper's executive orders and/or town emergency proclamations are in effect with restrictions imposed that close or limit the operation of businesses.

Town policy on Work Schedules, Compensation, and Facility Closures During State of Emergency is activated commensurate with conditions. Town offices and work facilities are closed to the public and work-at-home/essential worker procedures are exercised as long as social distancing requirements are in place. Public restrooms are open when downtown retail businesses are permitted to open to walk-in public traffic.

Level 2 – Direct threat to Beaufort based on the number of Carteret County positive and active cases and statewide case escalation. Entry checkpoint established on Turner Street. Access limited to permanent County residents and essential business activity only – entry passes, or driver's license with a Carteret County address required for entry. Second homeowners will exit town or shelter in place. Visitors (to include non-essential short-term guests) will be turned away.

Level 3 – Significant increase in active COVID cases and hospital resource use. Same as Level 2 with the addition of a curfew from 10:00pm to sunrise.

We are currently in Level 1 preparedness. There is nothing in current data that would suggest increased measures are warranted, but we are prepared to do so in case there is an increase in positive cases or an identified outbreak that could or would affect our community.

Our measures are imperfect solutions to an extraordinary challenge driven by an invisible threat and, at times, we have been given very little information.

We have taken this threat very seriously and will continue to do so since we have so many vulnerable citizens in Beaufort, to include those on this board.

Finally, our town staff is the definition of professionalism...ensuring normal critical town functions continue while also taking measures to defend against COVID-19. My greatest thanks to Town Manager John Day, key town staff leaders, and the entire Beaufort Town Staff.

Mayor/Commission Comments

Commissioner Hagle indicated he agreed with the comments of the Mayor and they were on target. He indicated there were some hard decisions made but it was in the best interest of all. He thanked the board for the conversation on 400 Pollock Street and he was looking forward to hopefully the building being restored. He thanked the staff for their work on all projects.

Commissioner Hollinshed asked if merchants could open as appointment only shops such as one on one. Town Manager Day indicated there was a provision in Governor Coopers Executive Order 121 allowing businesses to open if they can observe the social distancing between customers and business employees. If that process were doable then it would probably meet the current executive order. When the town's proclamation expires on April 29, 2020 then it could happen.

Commissioner Harker thanked the Mayor for all he was doing to keep the town safe. She indicated she liked the step plan on how to reopen Beaufort and remain safe. She urged everyone to please continue to keep up social distancing to remain safe and save lives. She indicated observing the restrictions will keep the hospitals from getting overcrowded and allow time for science to develop a better understanding and possible vaccine for the virus.

Commissioner Carter indicating the social distancing, masks and hand washing were critical in fighting the virus. She also indicated she hope the town never had to resort to using barricades again which gave the town a terrible black eye.

Town Manager Day indicated the Governor's order would end on May 8, 2020 and then there will be several weeks of phases to go through. He indicated it would be beneficial to be cognizant of measures that will need to remain in place and possibly implemented again if needed. He hoped the measures taken by the Governor would be sufficient. He indicated he believed it would be beneficial for the town to work with the Beaufort Development Association (BDA) and other organizations to best address the reopening of town.

Commissioner Carter asked about dredging. Town Manager Day indicated there was a delay due to COVID-19 and Town Planning Director Kyle Garner should be hearing additional information soon.

Mayor Newton indicated it was good to see the Randolph Johnson Park construction and how it was progressing. The Old Beaufort Farmer's Market will reopen slowly with only agricultural products being offered for a time. He indicated he was concerned about the upcoming weekend and people social distancing since we are not beyond the seriousness at this time.

Commissioner McDonald indicated he felt all comments were good. He indicated he was a small business owner in Beaufort, and he was thankful for the social distancing. He stated it was hard to cut hair from six feet. Commissioner McDonald indicated he was going to err on the side of safety and keep in mind business does not need to be put before a life. He continued by saying he understood people wanting to go back to work.

Adjourn

A motion was made to adjourn the meeting. The meeting adjourned at 4:44 pm.

Motion made by Commissioner Hagle.

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

Mayor Everette S. (Rett) Newton

Michele Davis, Town Clerk



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

Town of Beaufort Board of Commissioners Work Session Meeting 4:00 PM Monday, April 27, 2020 - Town Hall Conference Room, 701 Front Street, Beaufort, NC Minutes Held Electronically Due to the COVID-19 Pandemic

Call To Order

Mayor Newton called the meeting to order.

Roll Call

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

PRESENT

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

Agenda Approval

A motion was made to approve the agenda as presented.

Motion made by Commissioner Hagle.

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

Public Comment

Bucky Oliver made the following comments.

My name is Bucky Oliver, 2401 Front Street

A BUCKYISM: For every action there is an equal and opposite reaction

I believe Greg Meshaw has identified and provided costs estimates for Beaufort's infrastructure needs.

Two recent infrastructure Bids (that were less than 1% apart) confirmed unit. With the CV-19 tragedy there has never been more money available for Public Works through Grants and Debt alone. So, here is my suggestion: On or before Memorial Day 2023 (3 years and one month): Beaufort completes all its underground and road surface repairs. 1st month (May 2020) Plan developed by a Task Force--Months 2-37 Bids issued and work accomplished.

These projects are about the same value and scope as we accomplished in building the hotel. That is why I am confident that it can be done IF we put our minds to it, don't worry about giving credit for its accomplishment and think outside the box. Timing is very important.

I personally pledge \$1M to its success, most likely in the purchase of bonds.

I will work with you if this is of interest to the Town.

Thank you for your time

Items for Discussion and Consideration

- 1 Draft Minutes for the March 30, 2020 Work Session and for the April 13, 2020 Regular Meeting

This item was placed on the agenda under Consent.

- 2 Resolution Designating Applicant's Agent required by NC Department of Emergency Services for FEMA 4487-DR-NC

Finance Director Christi Wood indicated the resolution was a requirement for FEMA and state funding related to COVID-19. She indicated it gave she and Town Manager John Day the authority to act on behalf of the Town of Beaufort. This item was placed on the agenda under Items of Consent.

- 3 March Financial Report

Ms. Wood reported the taxes collected amount in the report was for February 2020 and March 2020. In response to a question, she indicated it was too early to estimate the sales taxes that would be received during the recent months.

Commissioner Hagle asked about the payment in lieu of taxes and franchise taxes. Ms. Wood indicated the town was still waiting for the payment in lieu of taxes from the Beaufort Housing Authority. She indicated the franchise fees should also be close to the same as before.

- 4 FY 20 Budget Amendment #12

Ms. Wood indicated the amendment for the General Fund requests an appropriation of:

Other Revenues- Insurance reimbursement for Engine #4 \$14,354; Sales of Surplus Property for Public Works vehicle replacement \$14,882; Miscellaneous Police Department Revenue for Crime Prevention \$7,800; Appropriated Restricted Fund Balance (Public Safety- Fire Department) – for vehicle maintenance and repair \$3,421; Appropriated Fund Balance- for expenditures related to COVID-19 \$100,000; Contingency for any unexpected expenditures that may occur prior to June 30, 2020 \$100,000.

For the Utility Fund - This amendment requests the appropriation of: Water and Sewer Tap Fees to fund the purchase of new water meters being installed in new developments, \$23,625; Fund Balance as a contingency for any unexpected expenditures that may occur prior to June 30, 2020, \$25,000.

Commissioner McDonald asked how the town got reimbursed for the new water meters. Ms. Wood indicated the tap fees cover the costs of the meters.

Commissioner Hollinshed asked Ms. Wood to please provide a listing of the COVID-19 expenses at the next meeting. She indicated some of the expenses were overtime for the Police Department and Fire Department since they worked a seven-day shift, supplies and barriers.

Commissioner Carter asked if the insurance reimbursement was money that had already been paid out. Ms. Wood confirmed for Commissioner Carter.

Mayor Newton asked how much would be reimbursable from FEMA. Ms. Wood indicated hopefully all of it.

This item was placed on the agenda under Items for Discussion and Consideration.

5 Revised Budget Calendar

Town Manager Day reported with all of the issues faced with the COVID-19 pandemic the preparation for the FY 20-21 Budget was not ready for presentation at the May regular board meeting. He proposed changes be made in the calendar with presentation to take place at the June 8, 2020 regular meeting with work sessions as needed.

Commissioner Hollinshed asked if consideration would be given to extend the budget required deadline due to the COVID-19. Mr. Day indicated the board could adopt an interim budget, but he believed it could be completed before the deadline of June 30, 2020.

This item was placed on the agenda under Items of Consent.

6 Voluntary Annexation for Old Seaport Development, LLC (153 Aqua 10 Road and 103 Aqua 10 Road) Doug Brady

Town Clerk Davis indicated she had completed the investigation into the request for Voluntary Annexation for Old Seaport Development, LLC and certified the sufficiency. She indicated the request was to accept the certification and set the public hearing for the regular meeting on June 8, 2020.

This item was placed on the agenda under Items of Consent.

7 Changes in Personnel Policy Compensation During State of Emergency

Town Manager Day reported the change was to allow more flexibility in work locations, work hours and compensation during times of emergency declarations. He indicated the COVID-19 pandemic had brought about issues that were not covered in the current personnel policy. All commissioners expressed concern over some of the wording such as "may be paid overtime" and "exempt employees will be paid overtime". Town Manager Day reminded everyone the request was only for things options to be available during a declared state of emergency for the town. He indicated as the policy was currently written, it did not allow for the option of employees to work from home and closing public buildings as was currently being done. Additionally, he informed the board members the wording allowed the town to meet requirements for FEMA reimbursement.

A motion was made to approve the Personnel Policy Changes but for consideration to be given again to the topic after the COVID-19 situation was over.

Motion made by Commissioner Hagle.

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

8 Case 19-12 Text Amendment - Lower Live Oak Overlay District

Mayor Newton indicated this item and the next item were tabled during the March 30, 2020 work session until this work session for a decision of when to hold the public hearings.

Town Planning Director Kyle Garner indicated he knew of two projects on hold until a final decision had been made on the text amendments and the overlay district.

The board members agreed to move forward and place the item on the agenda under Public Hearing.

9 Case 19-13 Lower Live Oak Corridor Overlay District

This item was placed on the agenda under Public Hearing.

10 400 Pollock Street/Preservation NC

Commissioner Harker made a motion to recuse Commissioner McDonald for the discussion on 400 Pollock Street. The vote was unanimous.

Building Code Administrator Tobbie Bowden provided input as to how the building needs to be secured for weather proofing. She indicated the windows would need to be covered with Tyvek for a temporary basis which would last about 20 to 30 days and then replacement would possibly need to be done. She reported to completely weatherproof the structure, exterior siding would need to be put back on the second level as well as new windows.

Commissioner Hollinshed indicated the short-term fix would be to weatherproof with participation by Preservation NC (PNC) and the family.

Commissioner Carter asked if there was an estimated cost for the weather proofing and was the family able to pay. Town Planning Director Garner indicated we did not have an estimated cost. In response to a question regarding the family's ability to pay and whether PNC will have to pay, Town Manager Day reported it would be between the two parties as to how it would be paid.

Town Attorney Grady indicated he drafted the motion since there was some confusion as to who would be performing the short-term fix whether the family or PNC. He indicated in his mind there was a 30-day time limit to get it done as long as the family and PNC got it done. Commissioner Hollinshed indicated they needed to get it done.

Commissioner Carter indicated another problem was the length of time for the Tyvek before needing replaced. Ms. Bowden indicated the replacement would need to be done possibly in thirty days. Commissioner Carter asked if they would be responsible for replacement if there is a delay.

Commissioner Harker asked if the weather proofing was done between May and June if approved at the May meeting and then the purchase possibly taking place by July that gives them another month. Can the weather proofing be done and then get an extension for PNC to purchase? She indicated she understood PNC did not want to put that much money into the project without the property getting purchased. She continued by saying can the town get the family or PNC to quickly get it covered and then when that is completed and PNC purchases we can tell them they need to replace the siding and the windows.

Town Manager indicated he believed the board had the authority to require it be covered within 30 days. He indicated it was relatively inexpensive to get it wrapped all around the top and then get them to cover the broken windows on the bottom floor. He indicated the motion could be modified to say the covering needed to be completed in thirty days and still have the original time limit for the purchase to take place.

Town Attorney Grady indicated the wording currently states for the initial weather proofing to be completed by June 1 with a July 31 date of staying the order. He indicated that was the 90-day period PNC indicated would be needed to get the purchase completed. As far as the reimbursement for the asbestos remediation he indicated how long that would take to accomplish. He suggested that be paid by the end of the year.

Commissioner Hollinshed asked about using 30 pound felt instead of the Tyvek. Ms. Bowden stated the felt could be used in place of the Tyvek. Ms. Bowden indicated repairs would need to be made all during the project. Commissioner Hollinshed indicated she liked the way the motion was worded as far as the definite dates provided.

Commissioner Hagle indicated he felt the Tyvek would last for a short period of time. He indicated the dates were alright by him.

I move that the demolition order previously adopted by the Board regarding the property located at 400 Pollock Street, Beaufort, NC, be stayed until July 31, 2020, in order to give Preservation NC the opportunity to purchase same, provided that the building is weather-proofed and sealed in a manner as directed by the Town's Chief Building Inspector by June 1, 2020, by either Preservation NC, the owners of said property, or a combination thereof, and that (i) upon the full remediation of the code violations of the exterior of the structure located at said address and (ii) upon reimbursement of the Town of Beaufort's costs incurred for asbestos remediation for said structure, both to occur no later than December 31, 2020, the demolition order outstanding for said property be rescinded and cancelled of record. The owner or owner's representative is further directed to provide updates on the status of this matter on a monthly basis to be presented as part of the "public projects" report submitted to the Board of Commissioners at regular monthly meetings.

Motion made by Commissioner Hagle.

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

11 Paid Parking 2020 Season

Town Manager Day asked the commissioners if they would like to delay the start of paid parking or suspend it for the season. The season is scheduled to begin on May 20, 2020. Mayor Newton reminded the paid parking was implemented as a means for parking management rather than a revenue stream for the town. He asked Town Manager Day of the implications of delaying or suspending.

Town Manager Day indicated there were fixed costs such as parking manager and debt service on equipment. He reported he could have Finance Director Wood provide some projections on the impacts.

Commissioner Hollinshed indicated if the business owners would police their own employees and their parking then having enough parking spaces for visitors may not be an issue. She indicated she felt the Beaufort Development Association should be asked about the delay or suspension.

Commissioner Carter indicated she felt it should be delayed until July 1, 2020. Town Manager Day indicated it would take approximately 4 weeks to get ready to begin the implementation.

Commissioner Harker indicated she felt it should be delayed until after July 4, 2020 to give as much time as possible to be prepared.

Commissioner Hagle indicated he would like to hear the input from the BDA by the end of May. Additionally, he indicated visitors should not be showing up until the Phase 1 process is over.

A motion was made to delay the implementation of paid parking for 2020 until a date could be decided at a later meeting.

Motion made by Commissioner Hagle.

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

Mayor/Commission Comments

Commissioner McDonald commented he was impressed to hear the board having discussions and taking the time to make good decisions.

Commissioner Hollinshed had no comments.

Commissioner Carter had not comments.

Commissioner Harker indicated the first week of May was drinking water week. She thanked the water department for their hard work to have good drinking water. She indicated she was not able to hear all of Mr. Oliver's comments and urged the board members to look at what he had to offer. She encouraged one to still practice social distancing and be safe.

Commissioner Hagle thanked the staff for their continued work during uncertain times. He commented the water plants and wastewater treatment plants were critical for the town.

Mayor Newton made the following comments.

Monday, April 27, 2020...A New Phase in Beaufort COVID-19 Response

This past weekend, April 24th through 26th, was calm and controlled in Beaufort, and that is exactly what we need to continue our COVID-19 fight. As many of our residents and business owners have articulated, if everyone would just use social distance and hygiene measures, the additional measures would not be necessary.

In Carteret County, there have been 28 total positive COVID-19 cases and three deaths. There has been a consistent reporting of 5-6 active positive cases, and that has not shifted much over the last few weeks. This data should be considered a minimum number since only the most severe cases are tested.

This Thursday, April 30th, we will enter a new phase in this fight. Our March 29th Proclamation will expire on April 29th, and Governor Cooper's executive orders will be the framework for our COVID-19 measures. This is an easing of our Beaufort measures that were more restrictive than the governor's. Since Governor Cooper's executive orders are still in effect, this is not a total re-opening. Stay at home, limited travel, social distance, hygiene, and essential business criteria are still defined by Executive Orders 121, 131, and 135. These orders will be enforced by state, county, and local authorities.

Throughout this crisis, many of our Beaufort businesses have gone above and beyond to protect their employees and their customers. But unfortunately, some have not. It is important to emphasize that Executive Order 131 details requirements for retail establishments to include maximum occupancy, social distance markings, and cleaning and disinfection procedures.

COVID-19 is still a substantial threat. Social distancing and emphasis on hygiene will continue for the foreseeable future. If we start to see a significant increase in positive cases or an influx of people that are not taking this threat seriously, we will not hesitate to increase our Beaufort measures to protect our community. Now is the time when we must work together, the citizens, second home owners, business owners, employees, churches, schools, civic groups, and non-profits of Beaufort, to ensure everyone in our community is taking appropriate precautions in this fight. Summer 2020 in Beaufort will be a big challenge.

Adjourn

A motion was made to adjourn the meeting. The meeting adjourned at 5:14 pm.

Motion made by Commissioner Harker.

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

Mayor Everette S. (Rett) Newton

Michele Davis, Town Clerk



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

Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Items of Consent
SUBJECT: Revised Budget Calendar

BRIEF SUMMARY:

The time required to plan and manage the Town's COVID-19 response has led to a delay in the completion of the proposed FY2021 Annual Budget. A revised budget calendar is attached.

REQUESTED ACTION:

Approve revised budget calendar.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

John Day, Town Manager

BUDGET AMENDMENT REQUIRED:

No

The Budget Calendar

Budget Document Presented

Town Board Meeting
June 8, 2020–6 PM

Budget Work Session

June 15, 2020–4 PM

Regular and Budget Work Session, Budget Public Hearing

June 22, 2020–4 PM

Budget Work Session (if needed)

June 25, 2020–4 PM

Budget Work Session (if needed)

June 29, 2020–4 PM



Town of Beaufort, NC

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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Public Hearing
SUBJECT: Case 19-12 Text Amendment - Lower Live Oak Overlay District

BRIEF SUMMARY:

This agenda item is text amendment needed to create the standards and regulations associated with the Lower Live Oak Overlay District. This amendment provides guidance on the exterior materials, amount of signage and roof lines. As part of the signage a proposal for amortization of existing signage is also proposed. You will see that the Planning Board made some recommendations (Shown in highlighted yellow text) they would ask you to consider when discussing the proposal. .

REQUESTED ACTION:

Approve the Text Amendment for the Lower Live Oak Overlay District as presented, as amended or decline to approve.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP, Planning Director

BUDGET AMENDMENT REQUIRED:

N/A

STAFF REPORT

TO: Board of Commissioners
FROM: Kyle Garner, Planning Director
DATE: March 19, 2020
RE: Case 19-11: LDO Text Amendment Modifying Section 10 Overlay/ Conservation/Companion Zoning Districts by adding a new overlay district to be called the “Live Oak Street Corridor Overlay District”

Background

In the late summer of 2019 Staff proposed new overlay district standards aimed to facilitate the redevelopment of properties within the 400 & 500 block of Live Oak Street. During the discussion the Planning Board asked staff to include some properties on the west side of Live Oak even though they were not consistent with the CAMA Future Land Use Map and some other minor changes consistent with the Cedar Street Mixed Use District. On March 16th the Planning Board held a public hearing on the proposed text and offered some recommended changes (Highlighted in Yellow) for the Board of Commissioners to consider. A major discussion item was the amortization of signage which they offered a different option to consider otherwise there were few changes.

Even though there are similarities between the Cedar Street Mixed Use District and this Overlay District both are different which is why different standards have been developed specifically for Live Oak. The Board may recall that the Small Area Plan did not include all of Live Oak however it did provide guidance as to how to address this vital commercial corridor. Again, much like the new Cedar Street District, Staff developed text to address design criteria for new commercial structures to include: exterior siding/façade materials, roof forms, and signage and exterior elevations to insure that designs fit the human scale of the neighborhood. Setbacks have also been relaxed to provide for a more pedestrian feel as well.

The development of text is the first step in the process and complements the second step which would be the actual application of this overlay district to actual properties on Live Oak Street.

Action Needed: Conduct Public Hearing
Decision on the proposed Text Amendment

Attachments: Proposed Text Amendment

Board Action: Motion by _____ 2nd by _____

SECTION 10 Overlay/Conservation/Companion Zoning Districts

(H) Live Oak Street Corridor Overlay

1) Purpose.

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

2) The Live Oak Street Corridor Overlay District for the Town of Beaufort, as set forth on a map so entitled and dated 00-00-0000, is hereby adopted by reference as an element of the *Land Development Ordinance* hereafter known as the *LDO*, and the Official Zoning Map of the Town of Beaufort. **And where as any section of the overlay regulations conflicts with the underlying zoning, the overlay shall take precedence unless it is specifically otherwise stated.**

3) Permitted Uses.

The underlying uses, with the exception of single-family residential uses, located within the Live Oak Street Corridor Overlay District shall be subject to the Development Standards listed below.

4) Prohibited Uses.

Any use not listed in underlying zoning districts is prohibited.

5) Development Standards.

a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Beaufort's gateway corridors by insuring new development projects are architecturally compatible with the historic characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended for front elevations and overall massing of new structures shall be of human scale and related to the street.

It is not the intent for new structures to closely duplicate existing historic structures. The intent is for new structures to include elements in ways which achieve a design compatible with and complementary to the historic character of the Town.

b) Site Plan Submission.

A detailed site plan, meeting all N.C. State Building Codes and Town Ordinances, shall be required for all development within this overlay zone.

c) Signage.

i) Only monument type signs with a **brick, masonry or wood base are permitted.** The **actual signage material shall be made** of wood or substitute materials which have the appearance of wood are permitted. These signs shall also not exceed twenty-five square feet (25 ft²) in area or eight feet (8') in height.

ii) The use of internally lit or flashing signs of any kind is prohibited. The use of ground-mounted spotlights concealed by landscaping to light signs during night hours is acceptable.

iii) The total square footage of wall signage allowed shall not exceed .75 sq. ft. per linear foot of lot frontage.

iv) **BOC Option:**

- All existing freestanding signage will have a period of three (3) or five (5) years to come into compliance. At the end of the three (3) or five (5) year amortization period, the Town will follow code enforcement violation procedures that may include fines and the removal of signage by the Town.

Planning Board Recommendation

- If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this section, and the remnants of the former sign shall be cleared from the land. For the purpose of this section, a nonconforming sign is “destroyed” if damaged to an extent of the cost to repair the sign to its former stature or replacing it with an equivalent sign equals or exceeds seventy-five percent (5%) of the replacement value of the sign so damaged.

Subject to the other provisions of this section, nonconforming signs may be repaired and renovated as long as the cost of such work does not exceed seventy-five percent (50%) of the replacement value of such sign within any twelve-month period.

d) Landscaping.

A detailed landscape plan identifying all shrub and tree types as well as the number of such trees and shrubs shall be submitted for review and approval as per section 14 of the *LDO*. Additionally if developing adjacent to a different type of land use, a screening and buffering plan shall be required.

e) Exterior Siding Materials.

The primary siding material constituting a minimum of eighty 80% of the exterior shall be one or a combination of two of the following materials:

- i) Brick;
- ii) Stone: Natural, Limestone or Granite;
- iii) Fiber Cement Siding; (Lap or Board & Batten Siding); and/or,
- iv) Treated Wood excluding plywood (Bead Board & Batten or Clapboard Design only)
- v) Cedar Shake
- vi) Other materials or combinations thereof can be submitted to the Planning Board and Board of Commissioners for consideration. Detailed elevation drawings and product specifications shall be required

f) Outside Walls.

- i) The total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. This percentage may be increased if it needs to meet the state fire code.
- ii) Each exterior wall of a building viewable from any public or private right-of-way shall incorporate architectural design features to create a visual break at least every one hundred feet (100') along the exterior wall in order to avoid a box like appearance. All plans for exterior walls shall be approved by the Board of Commissioners as part of the site plan approval process.

- g) Roof Forms.
 - i) Roof forms shall be similar to those used on historic structures. The dominant shape shall be gabled, hipped or parapet. If pitched the minimum pitch shall be five over twelve (5/12) with a maximum pitch of twelve over twelve (12/12).

- h) All roof top mounted equipment shall be fully screened from view and the method of screening shall be integrated into the overall building design, for example within or behind pitched roofs. Hipped or gabled roofs with a mechanical element will not be considered mansard roofs when the roof appears to be a true hipped or gabled roof design.

- i) Driveway Limitations.
 - i) Two driveways entering the same street from a single lot shall only be permitted if the minimum distance between the closest edges of the driveways equals to or exceeds one hundred feet (100’).
 - ii) In no case shall the total width of all driveways exceed fifty percent (50%) of the total property frontage.
 - iii) No driveway shall be located within ten feet (10’) of an adjacent property except in the case of a shared driveway utilized by two or more lots.
 - iv) No driveway shall be located within a hundred feet (100’) of an intersection except in cases where no other access to a public street is available.

- j) Parking.

Parking and vehicle accommodation areas (VAAs) shall meet the requirements set forth in section 15 of the *LDO*.

- k) Exterior Drawings.

Exterior elevation drawings shall be submitted in color to determine the visual break of exterior walls and the color palate chosen for the structure or structures.

Table 10-1 Corner Lot and Interior Lot Requirements for Commercial Use

<i>District</i>	<i>Designated Front (Right-of-Way) Setback</i>	<i>Designated Side (Right-of-Way) Setback</i>	<i>Rear Setback</i>	<i>Side Setback</i>	<i>Building Height Limitation</i>
	15 feet minimum	15 feet	15 feet	10 feet	40 feet
	20 feet maximum	15 feet	15 feet	10 feet	40 feet

NOTE: If this Zoning District is added to the Overlay/Conservation Zoning Districts Table of Uses (currently on page 127 of the *LDO*), that table will be relabeled to Table 10-1. This will likely happen after review by the BOC.

DRAFT ORDINANCE 20-0

AN ORDINANCE TO MODIFY THE Town of Beaufort *Land Development Ordinance (LDO)*, specifically Section 10-H, Overlay/Conservation Companion Zoning Districts to create the Lower Live Oak Overlay District.

WHEREAS, the Beaufort Land Development Ordinance contains regulations which establish the development of land within the Town of Beaufort and its Extraterritorial Jurisdiction; and

WHEREAS, the Beaufort Planning Board held a hearing on March 16, 2020 and recommended the proposed text amendments and recommended its adoption; and

WHEREAS, the Board of Commissioners conducted a public hearing on April 13, 2020 and determined that the public interest will be served by adopting the following text amendments to modify text as it relates to these items.

NOW THEREFORE be it ordained by the Board of Commissioners of the Town of Beaufort as follows:

The Town of Beaufort LDO is amended as follows:

SECTION 10 Overlay/Conservation/Companion Zoning Districts

(H) Live Oak Street Corridor Overlay

- 1) Purpose.

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.
- 2) The Live Oak Street Corridor Overlay District for the Town of Beaufort, as set forth on a map so entitled and dated 00-00-0000, is hereby adopted by reference as an element of the *Land Development Ordinance* hereafter known as the *LDO*, and the Official Zoning Map of the Town of Beaufort. **And where as any section of the overlay regulations conflicts with the underlying zoning, the overlay shall take precedence unless it is specifically otherwise stated.**
- 3) Permitted Uses.

The underlying uses, with the exception of single-family residential uses, located within the Live Oak Street Corridor Overlay District shall be subject to the Development Standards listed below.
- 4) Prohibited Uses.

Any use not listed in underlying zoning districts is prohibited.
- 5) Development Standards.
 - a) Design Criteria.

The intent of the following design criteria is to maintain and strengthen the unique character of Beaufort's gateway corridors by insuring new development projects are architecturally compatible with the historic characteristics of the community. These characteristics include building forms, proportions, treatments, exterior materials, and architectural styles. It is intended for front elevations and overall massing of new structures shall be of human scale and related to the street.

It is not the intent for new structures to closely duplicate existing historic structures. The intent is for new structures to include elements in ways which achieve a design compatible with and complementary to the historic character of the Town.
 - b) Site Plan Submission.

A detailed site plan, meeting all N.C. State Building Codes and Town Ordinances, shall be required for all development within this overlay zone.
 - c) Signage.
 - i) Only monument type signs with **a brick, masonry or wood base are permitted.** The **actual** signage **material shall be made** of wood or substitute materials which have the appearance of wood are permitted. These signs shall also not exceed twenty-five square feet (25 ft²) in area or eight feet (8') in height.

- ii) The use of internally lit or flashing signs of any kind is prohibited. The use of ground-mounted spotlights concealed by landscaping to light signs during night hours is acceptable.
- iii) The total square footage of wall signage allowed shall not exceed .75 sq. ft. per linear foot of lot frontage.
- iv) **BOC Option:**
 - All existing freestanding signage will have a period of three (3) or five (5) years to come into compliance. At the end of the three (3) or five (5) year amortization period, the Town will follow code enforcement violation procedures that may include fines and the removal of signage by the Town.

Planning Board Recommendation

- If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this section, and the remnants of the former sign shall be cleared from the land. For the purpose of this section, a nonconforming sign is “destroyed” if damaged to an extent of the cost to repair the sign to its former stature or replacing it with an equivalent sign equals or exceeds seventy-five percent (5%) of the replacement value of the sign so damaged.

Subject to the other provisions of this section, nonconforming signs may be repaired and renovated as long as the cost of such work does not exceed seventy-five percent (50%) of the replacement value of such sign within any twelve-month period.

- d) Landscaping.
A detailed landscape plan identifying all shrub and tree types as well as the number of such trees and shrubs shall be submitted for review and approval as per section 14 of the *LDO*. Additionally if developing adjacent to a different type of land use, a screening and buffering plan shall be required.
- e) Exterior Siding Materials.
The primary siding material constituting a minimum of eighty 80% of the exterior shall be one or a combination of two of the following materials:
 - i) Brick;
 - ii) Stone: Natural, Limestone or Granite;
 - iii) Fiber Cement Siding; (Lap or Board & Batten Siding); and/or,
 - iv) Treated Wood excluding plywood (Bead Board & Batten or Clapboard Design only)
 - v) Cedar Shake
 - vi) Other materials or combinations thereof can be submitted to the Planning Board and Board of Commissioners for consideration. Detailed elevation drawings and product specifications shall be required
- f) Outside Walls.

- i) The total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. This percentage may be increased if it needs to meet the state fire code.
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- g) Roof Forms.
- i) Roof forms shall be similar to those used on historic structures. The dominant shape shall be gabled, hipped or parapet. If pitched the minimum pitch shall be five over twelve (5/12) with a maximum pitch of twelve over twelve (12/12).
- h) All roof top mounted equipment shall be fully screened from view and the method of screening shall be integrated into the overall building design, for example within or behind pitched roofs. Hipped or gabled roofs with a mechanical element will not be considered mansard roofs when the roof appears to be a true hipped or gabled roof design.
- i) Driveway Limitations.
- i) Two driveways entering the same street from a single lot shall only be permitted if the minimum distance between the closest edges of the driveways equals to or exceeds one hundred feet (100').
 - ii) In no case shall the total width of all driveways exceed fifty percent (50%) of the total property frontage.
 - iii) No driveway shall be located within ten feet (10') of an adjacent property except in the case of a shared driveway utilized by two or more lots.
 - iv) No driveway shall be located within a hundred feet (100') of an intersection except in cases where no other access to a public street is available.
- j) Parking.
Parking and vehicle accommodation areas (VAAs) shall meet the requirements set forth in section 15 of the LDO.
- k) Exterior Drawings.
Exterior elevation drawings shall be submitted in color to determine the visual break of exterior walls and the color palate chosen for the structure or structures.

Table 10-1 Corner Lot and Interior Lot Requirements for Commercial Use

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	15 feet minimum	15 feet	15 feet	10 feet	40 feet
	20 feet maximum	15 feet	15 feet	10 feet	40 feet

NOTE: If this Zoning District is added to the Overlay/Conservation Zoning Districts Table of Uses (currently on page 127 of the *LDO*), that table will be relabeled to Table 10-1. This will likely happen after review by the BOC.

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

This, the 13th day of April 2020.

TOWN OF BEAUFORT

By: _____
Mayor

Attest:

_____ Town Clerk



Town of Beaufort, NC

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252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Public Hearing
SUBJECT: Case 19-13 Lower Live Oak Corridor Overlay District

BRIEF SUMMARY:

With the creation of the Live Oak Overlay text the purpose of this item is to geographically represent where the overlay district would be applied. As shown on the attached maps there are 13 parcels with a total acreage of 6.43 acres that the overlay standards would be applied to include four (4) signs that may become amortized pending the Boards final decision. *(Data on the signs are being gathered and will not be available for the workshop but will be added for the hearing)*

The purpose of the overlay is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the Town.

REQUESTED ACTION:

Approval of the Lower Live Oak Corridor Overlay District as presented, approval with amendments or Decline to approve.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kyle Garner, AICP, Planning & Inspections Director

BUDGET AMENDMENT REQUIRED:

N/A



Staff Report

To: Board of Commissioners
From: Kyle Garner, Planning Dir.

Date: 3/17/2020
Meeting Date: 4/13/2020

Case Number 19-13

Summary of Request:

Rezone 6.43 acres along Live Oak to apply Live Oak Corridor Overlay.

Background

Location(s) & PIN

Starts at the intersection of Cedar and Live Oak on the northeast side running north to the intersection of Live Oak and First Street (See Attached Vicinity Map)

Owner Applicant

Multiple (See Ownership Table)
Town of Beaufort – Staff Initiated

Current Zoning

B-1 Zoning

Lot(s) Size & Conformity Status

6.43 Acres Total (based on GIS data)
Conforming (1 Non-conforming – Lot Width)

Existing Land Use

Commercial, Office & Governmental Uses & Undeveloped

CAMA Future Land Use Map Amendment Required

General Commercial
 Yes No

Adjoining Land Use & Zoning

North See Attached Zoning Map of Area
South See Attached Zoning Map of Area
East See Attached Zoning Map of Area
West See Attached Zoning Map of Area

Special Flood Hazard Area

Yes No

Public Utilities

Water Available Not Available
Sewer Available Not Available

Additional Information

The Planning Board gave a unanimous recommendation for the area at their March 16, 2020 meeting.

Requested Action

Provide a consistency statement to the Board of Commissioners addressing the requested zoning amendment and the future land use plan.
Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Deny the request; or
- Recommend more restrictive zoning district

Staff Comments

The purpose of this overlay district is to protect, enhance and guide the development of the Live Oak Street commercial corridor by reducing visual clutter through the implementation of commercial design standards. These standards are designed to improve the aesthetics, traffic congestion and provide for a solid and vibrant tax base as well as promote the public health, safety and welfare of the town.

Even though there are similarities between the Cedar Street Mixed Use Zone and this Overlay District both are very different which is why different standards have been developed specifically for Live Oak. The Board may recall that the development of the Small Area Plan did not include all of Live Oak however it did provide guidance as to how to address this vital commercial corridor. Again, much like the new Cedar Street District,

In accordance with **NCGS § 160A-383**, the consistency statement must include one of the following:

- A statement recommending approval of the zoning amendment and describing its consistency with the CAMA Core Land Use Plan
- A statement recommending denial of the zoning amendment and describing its inconsistency with the CAMA Core Land Use Plan
- A statement recommending approval of the zoning amendment containing the following:
 - Declaration that the approval is also deemed an amendment to the CAMA Core Land Use Plan
 - An explanation of the change in conditions the board took into consideration when recommending approval

CAMA Core Land Use Plan – Future Land Use Classifications

General Commercial Classification.

The General Commercial classification encompasses approximately 0.24 square miles (154 acres) or about 3.3 percent of the planning jurisdiction. The properties classified as General Commercial are located along the Town's major road corridor--US Highway 70.

The General Commercial classification is intended to delineate lands that can accommodate a wide range of retail, wholesale, office, business services, and personal services. Areas classified as General Commercial may also include some heavy commercial uses as well as intensive public and institutional land uses. Minimum lot sizes typically range from 5,000 to 8,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Maximum floor area ratios (the total building floor area divided by the total lot area) range from 0.57 to 0.83. Land uses within General Commercial-designated areas are generally compatible with the B-1, General Business; B-2, Highway Business; B-3, Marina Business; and the O & I, Office and Institutional zoning districts. Public water service is needed to support the land uses characteristic of this classification. Public sewer service is needed to support the most intensive commercial uses. Streets with the capacity to accommodate higher traffic volumes are necessary to support commercial development.

General Commercial-classified areas are anticipated to accommodate some of the most intensive land uses found in the Town's planning jurisdiction. The Town's goals and policies support the use of land in General Commercial-classified areas for a wide variety of retail and commercial services uses where adequate public utilities and streets are available or can be upgraded to support the intensity of

development encouraged in this classification. Public and institutional land uses that support and that are compatible with this type of commercial development are also encouraged.

Medium Density Residential Classification.

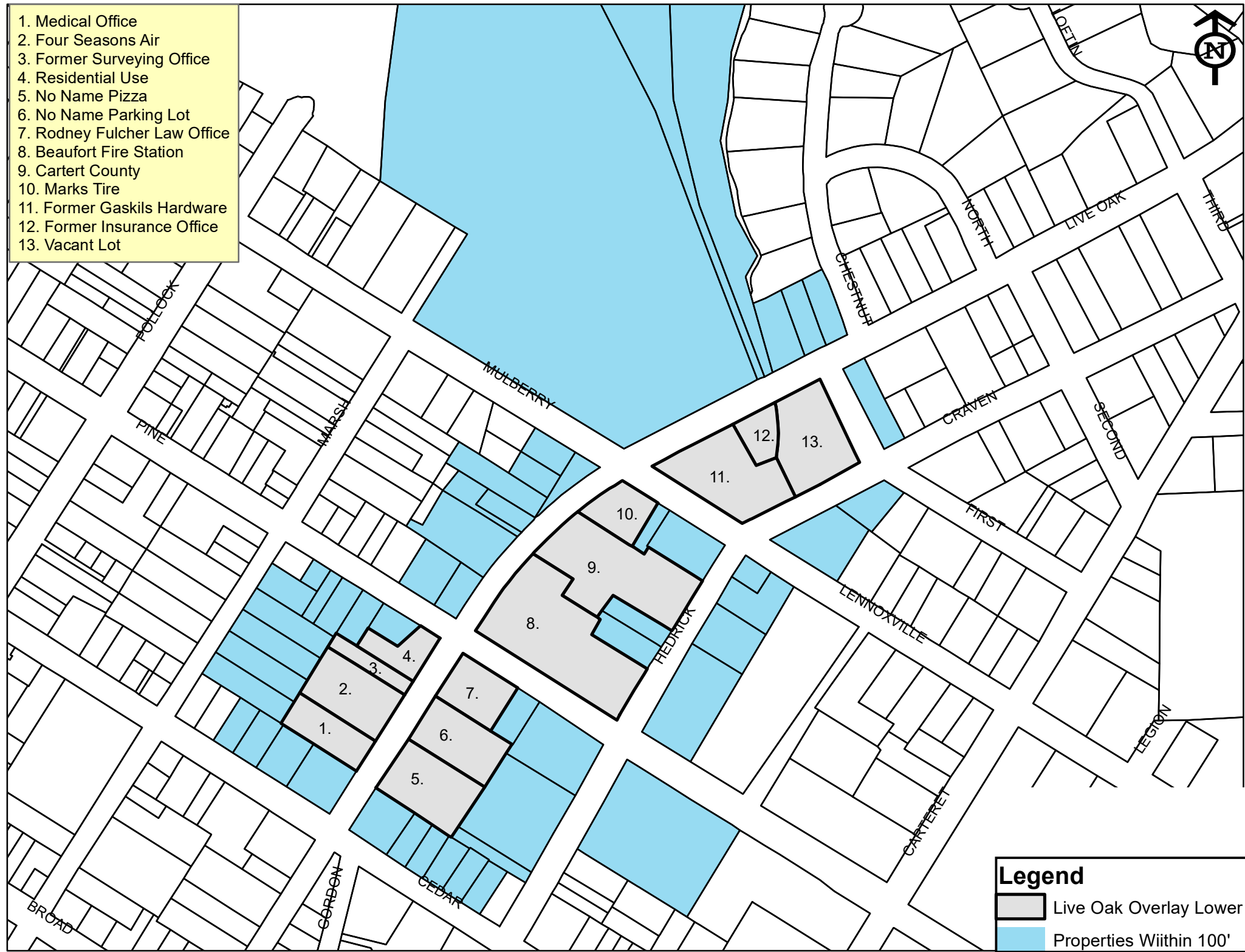
The Medium/High Density Residential classification encompasses approximately 0.8 square miles (483 acres) or about 10 percent of the total planning jurisdiction. The majority of the properties classified as Medium Density Residential are generally located immediately surrounding the Beaufort downtown area as well as north and east of the downtown area.

The Medium Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or two-family developments. The residential density within this classification is generally 3 to 5 dwelling units per acre. Minimum lot sizes vary from 8,000 to 10,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses within Medium Density Residential designated areas are generally compatible with the R-10, One or Two-family Residential; R-10MH, Single-family Residential and Manufactured Home; R-8, Medium Density Residential; and R-8A Single-family Medium Density Residential zoning districts. Public water is widely available and sewer service is required to support the higher residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support Medium Density Residential development.

The Town’s goals and policies support the use of land in Medium Density-classified areas for single-family and two-family dwellings where adequate public utilities and streets are available or can be upgraded to support the higher residential densities encouraged in this classification.

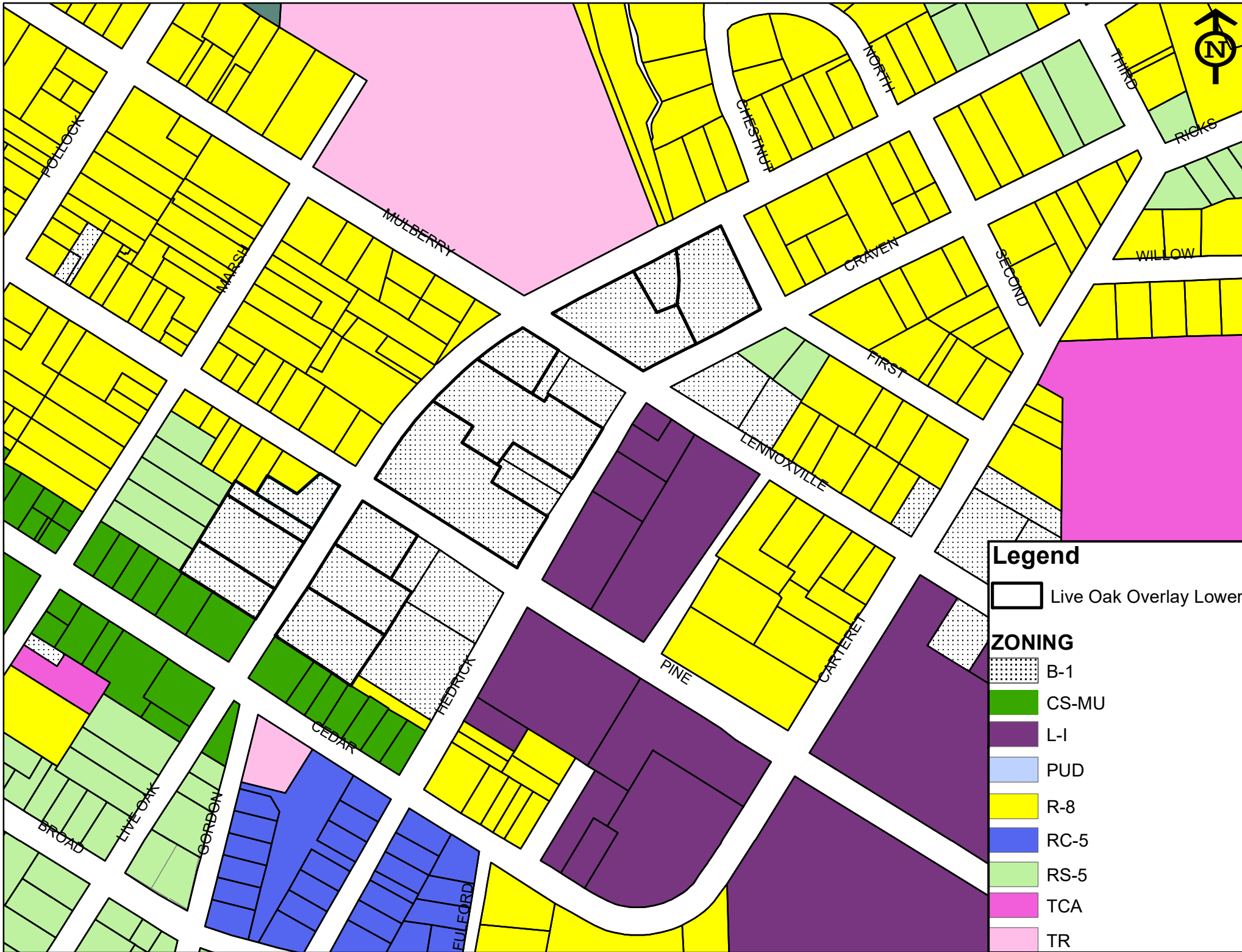
- Attachments:** Vicinity Map with 100 Foot Notification Boundary
Zoning Map with 100 Foot Notification Boundary
CAMA Future Land Use Map with 100 Foot Notification Boundary
Information Table
Property Owners Within 100 Feet
Ordinance

1. Medical Office
2. Four Seasons Air
3. Former Surveying Office
4. Residential Use
5. No Name Pizza
6. No Name Parking Lot
7. Rodney Fulcher Law Office
8. Beaufort Fire Station
9. Cartert County
10. Marks Tire
11. Former Gaskils Hardware
12. Former Insurance Office
13. Vacant Lot



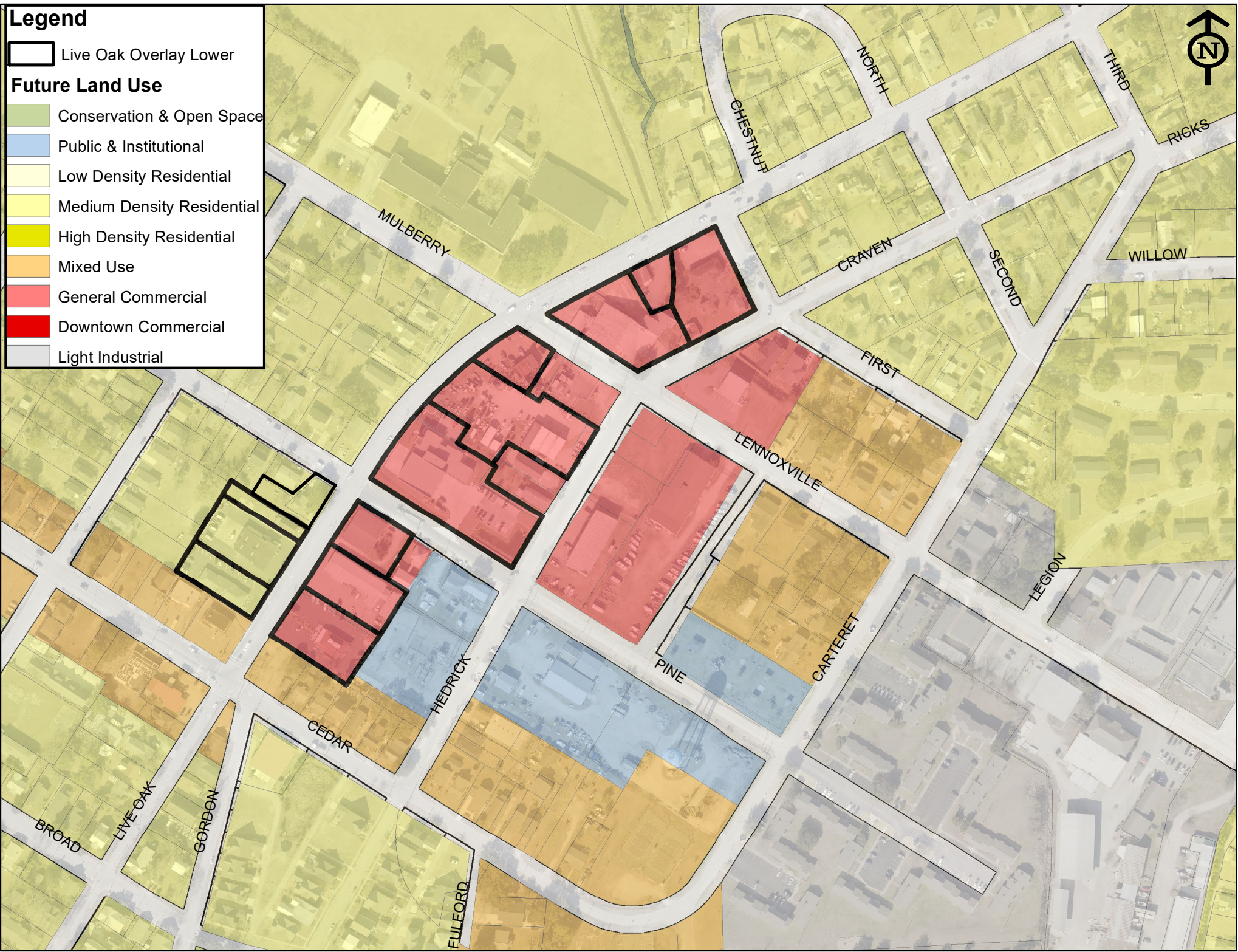
Legend

- Live Oak Overlay Lower
- Properties Within 100'



Legend

- Live Oak Overlay Lower
- Future Land Use**
- Conservation & Open Space
- Public & Institutional
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- General Commercial
- Downtown Commercial
- Light Industrial



<u>ID #</u>	<u>PIN15</u>	<u>OWNER</u>	<u>CONFORMING USE</u>	<u>CONFORMING STRUCTURE</u>	<u>CONFORMING LOT</u>	<u>LOT AREA</u>	<u>COUNTY LISTED USE</u>
13	730618419159000	WILKO HOLDINGS LLC	Y	N - North Side Setback	Y	28961.230430700000000	COMMERCIAL
12	730618418260000	BEAUFORT OFFICE BUILDING LLC	Y	N - Front and South Side Setback	Y	8370.576000290000000	COMMERCIAL
11	730618418101000	900 LIVE OAK JV, LLC	Y	N - Both Side setbacks	Y	33043.967393300000000	COMMERCIAL
10	730618415063000	WRIGHT,KENNETH W JR ETAL	Y	N - Rear Setback	Y	12843.889103000000000	COMMERCIAL
9	730618405981000	CARTERET COUNTY	Y	Yes	Y	45692.787258700000000	COUNTY GOVERN
8	730618403769000	TOWN OF BEAUFORT	Y	Yes	Y	58550.123268500000000	MUNICIPAL EXEMP
7	730618402644000	BABCOCK,SHIRLEY J ETVIR RICHA	Y	N - Front and North Side Setback	Y	15571.924696000000000	COMMERCIAL
6	730618402514000	MANOUSARIDIS,CHRISTOPHER	Y	Yes	Y	21538.007457500000000	COMMERCIAL
5	730618401444000	MANOUSARIDIS,CHRISTOPHER	Y	N - Front and North Side Setback	Y	25206.706965900000000	COMMERCIAL
2	730618309683000	GARNER,EUGENE M JR ETUX DIANNE	Y	Yes	Y	23035.544381000000000	COMMERCIAL
1	730618309525000	GARNER,EUGENE M JR ETUX DIANNE	Y	N - South Side Setback	Y	14994.657554000000000	COMMERCIAL
3	730618400720000	GILLIKIN,NELSON BRYAN II	Y	N - Front and North Side Setback	N - Lot Width 40'	6886.497693000000000	COMMERCIAL
4	730618400793000	SADLER,GERRY	N - Residential	N - Front and Rear Setback	Y	10431.963183000000000	RESIDENTIAL

<u>OWNER</u>	<u>MAIL HOUSE</u>	<u>MAIL ST</u>	<u>MAIL CITY</u>	<u>AIL ST</u>	<u>MAIL ZI4</u>	<u>MAIL ZI5</u>	<u>MAIL_ADD2</u>
ABBRUZZESE,WILLIAM C ETUX FRAN	4425	ARENDELL STREET #706	MOREHEAD CITY	NC		28557	
AMERICAN TOWERS LLC			ATLANTA	GA		31139	PO BOX 723597
BABCOCK,SHIRLEY J ETVIR RICHA	132	PLANTATION ST	BEAUFORT	NC		28516	
BEAUFORT TOWN CENTER LLC	2400	LENNOXVILLE ROAD	BEAUFORT	NC		28516	
BEAUFORT WOODSHOP LLC	1022	BROAD STREET	BEAUFORT	NC		28516	
BTRG INC	907	CEDAR STREET	BEAUFORT	NC		28516	
CARTERET COUNTY	302	COURTHOUSE SQUARE	BEAUFORT	NC		28516	SUITE 200
COPESE,ALICE H	517	LIVE OAK ST	BEAUFORT	NC		28516	
CRAIG,J KEVIN	129	POWELL LANE	CRAWFORDVILLE	FL		32327	
CREECH,SHERRY WILLIS	905	CEDAR ST	BEAUFORT	NC		28516	
DAILEY,MICHAEL P ETUX PAULA	905	LIVE OAK STREET	BEAUFORT	NC		28516	
DAVIS,CARLTON	3601	EAST HEDRICK DR	MOREHEAD CITY	NC		28557	
DAVIS,JAMES JR	511	1/2 LIVE OAK ST	BEAUFORT	NC		28516	
DAVIS,VENUS	513	LIVE OAK ST	BEAUFORT	NC		28516	
DUKE ENERGY PROGRESS INC	550	TRYON STREET	CHARLOTTE	NC		28202	TAX DEPT - DEC41B
ELLISON,ROY	130	BEAU-CLOS ROAD	LAKE CHARLES	LA		70607	
FLOWERS,JOHN ETUX KAREN	316	DOGWOOD LANE	HAMPSTEAD	NC		28443	
GARNER,EUGENE M JR ETUX DIANNE	173	JACKSON DRIVE	BEAUFORT	NC		28516	
GILLIKIN,NELSON BRYAN II			BEAUFORT	NC		28516	PO BOX 248
GODETTE,ARTIS	270	CANTON ST	NEWPORT	NC		28570	
GREER,ANNIE S L/T	130-25	232ND STREET	LAURELTON	NY		11413	
HELD,CHARLOTTE PAGE	106	CRAVEN AVENUE	BEAUFORT	NC		28516	
HI-SELL LLC	107	GALLANTS LANE	BEAUFORT	NC		28516	
HUNT,JASON MACDUFFY ETAL	118	BRIAR PATCH DRIVE	BEAUFORT	NC		28516	
JOHNS CANVAS LLC			BEAUFORT	NC		28516	PO BOX 466
JOHNSON,STEPHANIE COLLINS	507	HEDRICK ST	BEAUFORT	NC		28516	
LAND,LARRY MARTIN	700	LANDS POINTE ROAD	MOREHEAD CITY	NC	8946	28557	
MANOUSARIDIS,CHRISTOPHER	408	LIVE OAK STREET	BEAUFORT	NC		28516	
MANOUSARIDIS,ZACHARIAS	3511	COUNTRY CLUB ROAD	MOREHEAD CITY	NC		28557	
MEDLIN,JOE L ETUX JENNIFER	2265	MEDLIN RD	CLAYTON	NC		27520	
MIKELS,TERRY L	3901	BARRETT DRIVE #102	RALEIGH	NC		27609	
OLIVER,CHARLES II	2400	LENNOXVILLE ROAD	BEAUFORT	NC		28516	
SADLER,GERRY			BEAUFORT	NC		28516	PO BOX 245

SIMMONS,CHRISTOPHER C JR ETAL	414	FORBES AVENUE	NEW BERN	NC		28560	
SIMPSON,THOMAS D ETUX SARA	2715	COUNTRY CLUB ROAD	MOREHEAD CITY	NC		28557	
SOUND SHORE CONSTRUCTION INC	1913	FRONT STREET	BEAUFORT	NC		28516	
STATE OF NORTH CAROLINA	1321	MAIL SERVICE CENTER	RALEIGH	NC	1321	27699	
TEEL,JAMES A ETAL TEEL	857	GREYSON RD	ROCKY MOUNT	NC		27804	
TEEL,RAY ANTHONY D/B/A	813	CEDAR ST	BEAUFORT	NC		28516	
THOMAS J JOHNSON LLC			MT PLEASANT	SC		29465	PO BOX 643
TOWN OF BEAUFORT			BEAUFORT	NC		28516	PO BOX 390
WILKO HOLDINGS LLC	801	PLAZA BOULEVARD	KINSTON	NC		28501	
WRIGHT,DAVID WINSLOW ETAL	624	HIGHWAY 101	BEAUFORT	NC		28516	
WRIGHT,MARY B			AHOSKIE	NC		27910	PO BOX 986
900 LIVE OAK JV, LLC	305	TRANSYLVANIA AVE	RALEIGH	NC	6951	27609	



BEAUFORT TOWN COUNCIL
AN ORDINANCE TO APPLY AN OVERLAY DISTRICT TO 6.43 ACRES
(13 PARCELS) ON
LIVE OAK STREET
ORDINANCE # 20-0

Applicant: Town of Beaufort
Location: Starts at the intersection of Cedar and Live Oak on the northeast side running north to the intersection of Live Oak and First Street
Parcel ID: 730618419159000, 730618418260000, 730618418101000, 730618415063000, 730618405981000, 730618403769000, 730618402644000, 730618402514000, 730618401444000, 730618309683000, 730618309525000, 730618400720000, 730618400793000
Existing District: **B-1**
Meeting Date: April 13, 2020
Request: Apply the Lower Live Oak Overlay to the 13 Parcels mentioned above.

WHEREAS, the Town of Beaufort Planning Board held a hearing on March 16th and has recommended the request to apply an Overlay District to the above referenced property to Lower Live Oak as shown on the attached map; and

WHEREAS, the Beaufort Board of Commissioners has convened to consider and prepare a recommendation on the request at their regular meeting on April 13, 2020, at which time property owners and citizens were 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:

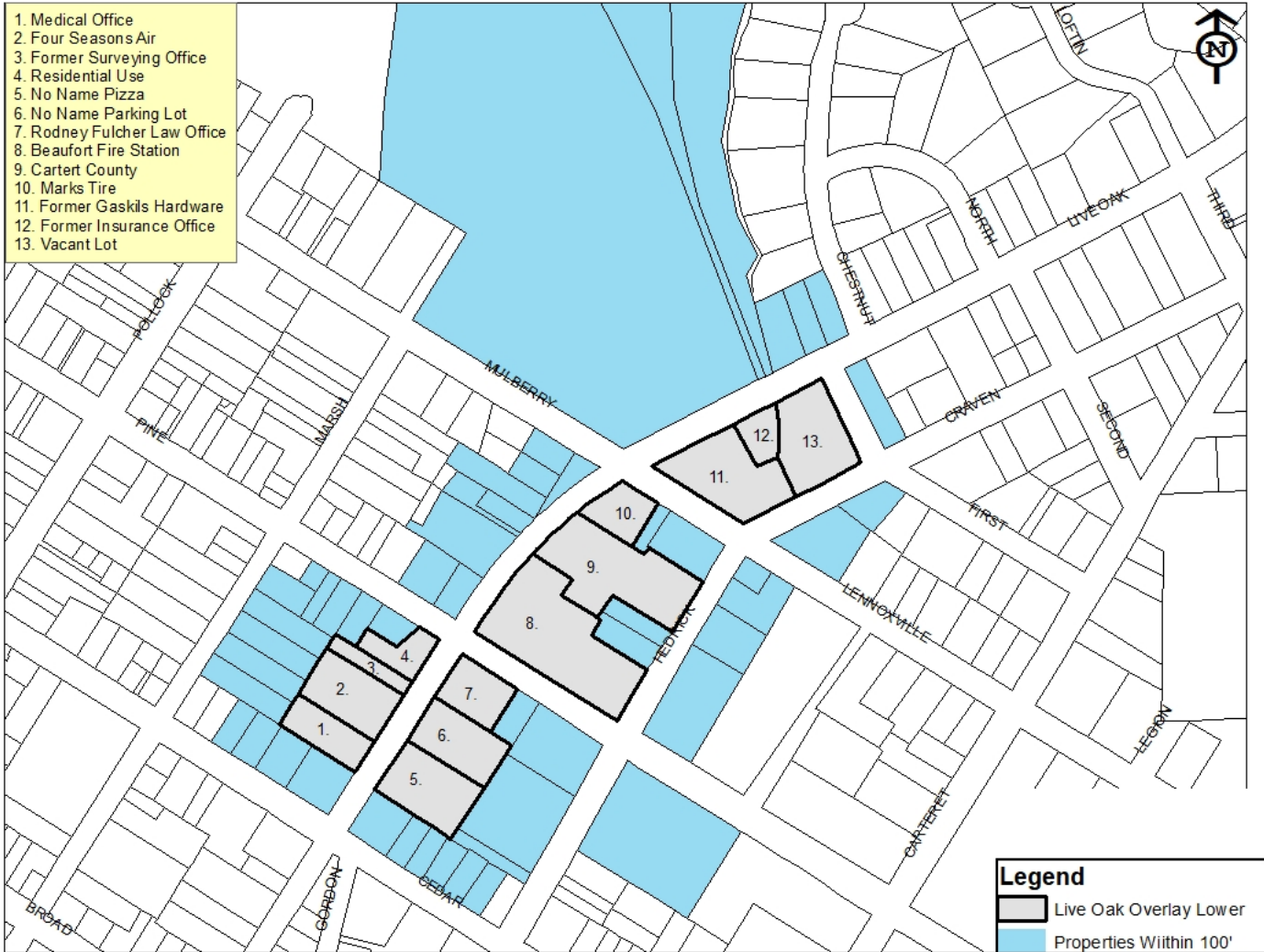
1. The request is consistent with the 2008 adopted CAMA Land Use Plan as per Sections 1.3.5 and 5.4.2 (Land Use Compatibility Implementation Actions).
2. The proposed overlay is consistent with the Small Area Plan & Bicycle/Pedestrian Plan Developed by Stantec and endorsed by the Board of Commissioners at their July 2018 Board Workshop.

NOW THEREFORE, on the basis of the foregoing findings and conclusions, IT IS HEREBY ORDAINED BY THE Board of Commissioners of the Town of Beaufort that the request for rezoning is approved and the Town's zoning map is amended accordingly.

Mayor, Town of Beaufort

Date

Lower Live Oak Overlay





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

Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, May 11, 2020 – Train Depot, 614 Broad Street, Beaufort, NC

AGENDA CATEGORY: Items for Discussion and Consideration
SUBJECT: FY 20 Budget Amendment #12

BRIEF SUMMARY:

General Fund -. This amendment requests an appropriation of:

- Other Revenues- Insurance reimbursement for Engine #4 \$14,354, Sales of Surplus Property for Public Works vehicle replacement \$14,882, Misc. Police Department Revenue for Crime Prevention \$7,800
- Appropriated Restricted Fund Balance (Public Safety- Fire Department) – for vehicle maintenance and repair \$3,421
- Appropriated Fund Balance- for expenditures related to COVID-19 \$100,000, Contingency for any unexpected expenditures that may occur prior to June 30, 2020 \$100,000.

Utility Fund - This amendment requests the appropriation of:

- Water and Sewer Tap Fees to fund the purchase of new water meters being installed in new developments, \$23,625.
- Fund Balance as a contingency for any unexpected expenditures that may occur prior to June 30, 2020, \$25,000.

REQUESTED ACTION:

Approve Budget Amendment #12

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Christi Wood – Finance Director

BUDGET AMENDMENT REQUIRED:

Yes



**TOWN OF BEAUFORT
FY 2020 BUDGET AMENDMENT #12**

WHEREAS, the Town of Beaufort adopted its Fiscal Year 2020 Budget through Ordinance on June 10, 2019, and

WHEREAS, the Board of Commissioners recognizes that periodic modifications to the estimated revenues and expenditures for the fiscal year may be necessary for fiscal management purposes and to implement decisions of the Board of Commissioners;

BE IT THEREFORE ORDAINED that the Board of Commissioners amends the Fiscal Year 2020 Budget as follows:

SECTION I: GENERAL FUND

This amendment requests an appropriation of:

- Other Revenues- Insurance reimbursement for Engine #4 \$14,354, Sales of Surplus Property for Public Works vehicle replacement \$14,882, Misc. Police Department Revenue for Crime Prevention \$7,800
- Appropriated Restricted Fund Balance (Public Safety- Fire Department) – for vehicle maintenance and repair \$3,421
- Appropriated Fund Balance- for expenditures related to COVID-19 \$100,000, Contingency for any unexpected expenditures that may occur prior to June 30, 2020 \$100,000.

A. REVENUE

INCREASE

OTHER REVENUES	\$ 37,036
APPROPRIATED RESTRICTED FUND BALANCE (PUBLIC SAFETY).....	\$ 3,421
APPROPRIATED FUND BALANCE	\$ 200,000
TOTAL INCREASE	\$ 240,457

B. EXPENDITURES AUTHORIZED BY DEPARTMENT

INCREASE

FIRE.....	\$ 69,775
POLICE.....	\$ 9,800
PUBLIC WORKS.....	\$ 55,882
NON- DEPARTMENTAL.....	\$ 105,000
TOTAL INCREASE	\$ 240,457

SECTION III: UTILITY FUND

This amendment requests the appropriation of:

- Water and Sewer Tap Fees to fund the purchase of new water meters being installed in new developments, \$23,625.
- Fund Balance as a contingency for any unexpected expenditures that may occur prior to June 30, 2020, \$25,000.

A. REVENUE

INCREASE

PERMITS AND FEES.....	\$ 23,625
APPROPRIATED FUND BALANCE	\$ 25,000
TOTAL INCREASE.....	\$ 48,625

B. EXPENDITURES AUTHORIZED BY DEPARTMENT

INCREASE

WATER DIVISION.....	\$ 23,625
NON- DEPARTMENTAL.....	\$ 25,000
TOTAL INCREASE.....	\$ 48,625

SECTION VI: DISTRIBUTION

Copies of this ordinance shall be furnished to the Town Manager and Finance Officer to be kept on file for their direction in the disbursement of funds.

Adopted this 11th day of May 2020.

ATTEST:

Michele Davis
Town Clerk

Everette S. Newton
Mayor