



## **Town of Beaufort, NC**

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

### **Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, January 10, 2022 - Via Zoom Due to COVID-19 Pandemic Monthly Meeting**

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#### **Call to Order**

#### **Roll Call**

#### **Agenda Approval**

#### **Manager Report**

#### **Public Comment**

#### **Items of Consent**

1. Minutes- July 26, Aug. 17 and Sept. 27, 2021
2. Minutes- November 22, 2021
3. 806 Cedar St Mixed Use - Site Plan

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

1. Emergency Leave Policy and Returning to In-Person Meetings
2. Appointment to Beaufort Harbor and Waterways Master Plan Advisory Committee

#### **Public Hearing**

1. Rezone 2158 Live Oak Street totaling 0.579 acres from R-20 to B-1

#### **Mayor/Commissioner Comments**

#### **Adjourn**



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**Board of Commissioners Regular Meeting  
6:00 PM Monday, January 10, 2022  
Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** Items of Consent  
**SUBJECT:** Minutes

**REQUESTED ACTION:** Consider approval of minutes as presented for the following meeting dates: July 26, 2021; August 17, 2021; September 27, 2021

**EXPECTED LENGTH OF PRESENTATION:**  
5 minutes

**SUBMITTED BY:**  
Rachel Johnson, Deputy Clerk

**BUDGET AMENDMENT REQUIRED:** No



**Town of Beaufort, NC**

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**Town of Beaufort Board of Commissioners Work Session Meeting  
4:00 PM Monday, July 26, 2021 - Virtual  
Minutes**

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**Call To Order**

Mayor Newton called the meeting to order.

**Roll Call**

Town Clerk Allen Coleman called roll and declared a quorum present for the meeting.

**PRESENT**

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

**Agenda Approval**

Mayor Newton: Applicant asked to remove item #6.

Commissioner Hollinshed: I would like to add a conversation about Bulkhead Channel to the agenda.

Commissioner Hagle: I would make it right after the minutes.

Approved unanimously

**COVID-19 Update – Carteret County Public Health Director Nina Oliver**

Nina Oliver: Cases had declined but are on the rise again. Right now, we have 49 active cases and that is up from 26 last week. A total of 59 deceased and a total of 5,252 cleared. The number of vaccines given by the Health Department is 10,020. 60% of the NC population have had the first dose of the vaccine, and 57% are

fully vaccinated. For Carteret County it is 48% with 1 dose and 45% fully. The Delta variant was first detected in the U.S. in March 2021. As of July 17 83% of COVID cases are the Delta variant. Between May 6 and June 28, 99% of cases are in people not vaccinated or not fully vaccinated.

1.

Town Manager John Day: You talked about the Delta variant nationwide, do you have numbers for the state?

Nina Oliver: I don't have exact numbers, but it is more than likely Delta and has increased significantly.

John Day: Would you say the same is true for Carteret County?

Nina Oliver: From what the state epidemiologist did share if we're seeing cases, it more than likely is going to be Delta Virus.

## Presentations

### 1. Citizen Encounters and Body Camera Training Update

Police Chief Paul Burdette: Our relationship with the community has been and will continue to be a priority with knowledge of fragility of their trust. This guides each action and encounter we have with both residents and visitors. Our training was recently the subject of risk management review process conducted by the League of Municipalities which we successfully completed. The update that was requested on the body cameras, all the equipment has arrived. The host setup and training are scheduled for the week of August 23. Requirements for mandatory recordings will be the same for both the body cameras and our in-car video cameras. All these videos will be secured in the cloud with an established retention policy to protect evidentiary integrity. The system features a mechanism where it automatically activates the body camera whenever a firearm is removed from the holster, and it will also automatically activate every body camera within a 30-foot radius of any Taser deployment.

Commissioner McDonald: What is in the policy if someone doesn't have on the camera, as far as correction and procedure?

Chief Burdette: They'll go through the progressive disciplinary process.

Commissioner Harker: Is there a certain number of hours required for training?

Chief Burdette: It's approximately 4 hours.

## Public Comment

Allen Coleman: There is one, Laura Satterly

Laura Satterly: I am going to hold my comments at this time.

## Project Updates

Town Engineer Greg Meshaw: We have 13 projects that are active, we dropped one and gained two. We gained what we'll call a street and pedestrian improvements type project, and we gained what we're classifying as a stormwater project. Cedar St is complete. Lennoxville pond and the bank stabilization, we've gotten a pretty good stand of grass and the fill that we placed behind the rip rap and the curtain is gone. Trying to get a schedule for when they're going to repair the pipe through the railroad bed that has what appears to be a hole in it. Probably within the next week or two. We are planning to do pavement marking in the downtown area, because again, there's either nothing there or it's only partially striped, we are planning to go out for bid on this. You wanted to delay discussions or not delay but talk about potential one-way streets one way versus two way at a later date when we have more time, so we stand ready to do that and anytime you'd like. On the street project our contractor is slowly working through the punch list. They have made progress but are not all the way to the end. One of the ones that's more obvious is Gordon St, if you notice they went back and removed some pavement and put more pavement down to cause water to shed off the street instead of ponding there. We've been trying to get a resolution on how to go forward with stormwater permitting for the well on the Sousa property. We're finally on the schedule for August 24, and we're on the express permit schedule. All indications are that we now have a pervious concrete strip down Orange St that does what it's supposed to. All the

previous work on Turner St has been completed, although there are a few things we are adding to do. Replacing some bricks and the planting in the fall. The contractor is having a hard time getting the pavers. So once he is able to get them all that project will be done in about a week. The USDA funded utilities project the water, sewer, and stormwater project. There is still a few weeks left of surveying. We are finding several discrepancies while out looking at about 40,000 feet of sewer line. The Campen Rd waterline extension work should start on August 9th and take about 75 days.

Commissioner Hollinshed: What about where the pavement where it is deteriorating at the courthouse from the running water that has now been repaired?

Greg Meshaw: We can look into repairing that because it is a town road.

Commissioner McDonald: What is the foresight for Mulberry and Pine St?

Greg Meshaw: Mulberry and Pine are slated to have utilities work done and once the utilities work is done, we will come back and pave those. We're looking at bidding that project in September to October next year. And the whole project we're looking at it right now we think been about a year to 18 months project.

Commissioner Harker: The speed bump on the corner of Pine and Marsh is gone, will it be replaced?

Greg Meshaw: Yes, they will be put back.

Commissioner Carter: Will the cable company have to reimburse us for that repair where they went through the sewer pipe?

Greg Meshaw: Good question, Hard answer. I have tried in my past to recoup money from cable companies and others, and it's been a very difficult process.

Mayor Newton: I know along Orange St, they're going to lose a significant number of parking spots with the new markings. So just want to make sure that the community understands that we're going to lose some of those parking spots due to the resizing of the spaces.

**Items for Discussion and Consideration**

1. Minutes

Allen Coleman: Asking the Board to consider the April and May work session minutes, then a regular meeting and the three budget work sessions at the next regular meeting on August 9 and looking at the board's pleasure to put that on items for consent.

Consent approved unanimously.

2. Bulkhead Channel Conversation

Commissioner Hollinshed: I received a picture of the pinch point at the bulkhead channel. And I'm wondering if we're addressing that. Also, I do have a concern. Are they going to run a dredge pipe all the way down the creek from the eastern end to the Western and to put the spoils on radio Island? Is that correct? And will that disrupt anything in our harbor area?

Planning Director Kyle Garner: We've reached out to the Army Corps regarding the dredging and the range. We're still trying to get on the schedule for the hopper dredge. The second item I'm not aware of but that is something we can certainly do some research on.

John Day: Kyle has been in touch with the Corps of Engineers for months trying to get us on this schedule. This isn't something that just happened. Kyle's been working with him literally for months to try and get them in.

3. County Water Rate Increase – Eastman Creek Subdivision

Town Manager John Day: The water the Town purchases from the County serves Eastman Creek subdivision. Currently, there are 15 water customers in Eastman Creek. The 2020 water

charges for the subdivision totaled \$60,038. With the rate increase, the Town will incur about \$17,000 per year in additional cost. Options for consideration include 1) maintaining current Town water rates and absorbing the \$17,000 in additional costs, 2) matching the new county rates and reselling the water at the direct cost, and 3) increasing the rates sufficiently to recover both the \$17,000 annual increase in water costs as well as the estimated \$11,700 annual cost of meter reading and routine maintenance.

Commissioner Hagle: The 11,700, we do not currently recover that cost?

John Day: In recalculating to capture the loss in revenue as a result of the new rates, we would ensure that is net instead of just setting it sort of arbitrarily at the double rate as it is now, which may or may not capture all the actual cost.

Commissioner Hollinshed: Could we split the billing? In other words, let the town of Beaufort bill for sewer, and let the county handle the water portion is that?

John Day: That is something that could be pursued.

Commissioner McDonald: If we subsidize then the citizens and within the city limits would be taking on a portion of the obligation for Eastman Creek. Is that correct?

John Day: That is correct.

Commissioner McDonald: I don't think that would be fair for the citizens of Beaufort.

Commissioner Harker: If we were to separate that and just let Eastman Creek get their water from the County, the county would bill them. That means we wouldn't have to read the meters, correct?

John Day: We would still need the meter readings to bill the sewer.

Mayor Newton: Lets take a look at our different options so we can have some guidance. First option would be subsidizing.

Commissioner Hagle: No. I would like to see the county bill directly and just charge sewer.

Commissioner Hollinshed: I would like to see the county bill directly and we charge sewer.

Commissioner McDonald: No other questions

Commissioner Harker: I think investigating splitting the bill, but also take a look at some other numbers.

Commissioner Carter: I agree that I would prefer to see leaving it to whoever takes over the county system.

4. Final Plat – Palmetto Plantation at Olde Beaufort Village, Phase 2; Case No. 21-19

Planning Director Kyle Garner: This is a follow up from last month, there was a request from Commissioner Hagle wondering where the storm drainage would go from this project if it were to leave of the pond. Ron Cullipher is with us tonight to answer any questions.

Ron Cullipher: The discharge at the pond goes under the bypass, goes north to 101 crosses under 101 at the airport and it goes on the backside of the runway into Newport River.

Commissioner Hagle: How often is it going to discharge into the offsite? I'm concerned about the downstream.

Ron Cullipher: The pond was actually designed and in accordance with your chapter 54 stormwater ordinance and then the pond discharge is after every rain event that's more than the design volume, which is there's two volumes that the town rules are followed by.

Mayor Newton: What is the pleasure of the board?

Commissioner Hagle: Move approval as presented to include the bond.

Motion approved unanimously.

- 5. Request for Special Use Permit – 1550 Lennoxville Road - Gas-Service Station (Jim Dandy Store Case No. 21-17

Planning Director Kyle Garner: Staff is requesting the board to place on their August agenda a quasi-judicial hearing for a special use request for 1550 Lennoxville Road.

Mayor Newton: What is the pleasure of the board? Put this on the agenda? Motion approved unanimously.

- 6. Request to Rezone 100 Fairview Drive and 1310 Live Oak Street from B-1 to TCA; Case No. 21-18

Planning Director Kyler Garner: We are asking that the board place this as a public hearing item on your next agenda. This will also require a CAMA map amendment as part of that.

Mayor Newton: What is the pleasure of the board? Putting this on the agenda for public hearing on August 9?

Commissioner Hagle: Move to add to august 9 agenda. Motion approved unanimously.

- 7. Maintenance Agreement - Elevated Water Storage Tanks

Town Engineer Greg Meshaw: The town currently has an asset management agreement with Southern Corrosion of Roanoke Rapids, for its to 200,000-gallon elevated water storage tanks. Their agreement expires in August, and consequently, we are asking the Board to approve the manager to renew that agreement using an agreement that was drawn up by the town's attorney as opposed to the one we've used in the past.

Commissioner Hagle: Does that include inspection of the integrity of the structural members that hold the tank?

Greg Meshaw: Yes

Mayor Newton: What's the pleasure of the board?

Commissioner Hagle: Move approval as presented. Motion approved unanimously.

- 8. Beaufort Garden Club Public Art Project at Topsail Park "Menhaden Melody"

Parks & Events Coordinator Rachel Johnson: This is a follow up from where they were approved to come up with a design for public art for the Topsail Park space. The artists they selected is Kurt Parker Davis of Art Form Studio in Morehead City. It is proposed at 10 feet tall and six feet wide at some places throughout the structure, it would be constructed of a marine grade powder coated aluminum, and it would be placed on top of a concrete base. There are several base options for the Board to consider as presented in the packet.

Commissioner Hagle: I would recommend the 2-foot base.

Commissioner Hollinshed: I would recommend the taller base to avoid people climbing

Mayor Newton: Are there sharp edges on the statue?

Beaufort Garden Club Member & Project Chair Cindy Cash: The sculptor will round off any edges. The sculptor feels the taller base would be a better fit for the sculpture.

Mayor Newton: What is the pleasure of the board? Discussion and consideration at August 9 meeting.

Moved unanimously

- 9. Middle Passage Marker Project

Parks & Events Coordinator Rachel Johnson: We have a local non-profit called the Middle Passage Marker Project Committee who has put together a presentation and a proposal to the town. The town of Beaufort has been identified by the much larger Middle Passage Ceremonies important markers project and the North Carolina African American Heritage commission as a place of arrival for enslaved Africans directed from the African coasts. Two arrival sites in the

Town of Beaufort have been designated. The Middle Passage Project Committee has raised funding to pay for a sign and installation designating a location at Topsail Park at no cost to the Town.

Mayor Newton: Consensus to put this on the agenda for August 9 discussion and consideration. Approved Unanimously.

10. Resolution Approving Financing Terms for Fire Station 2 Pumper Truck

Finance Director Christi Wood: Recommends the Board review and approve the resolution for financing of the Fire Station 2 Pumper Truck and authorize the Mayor and Town Clerk to sign the resolution.

Commissioner Carter: The county will be making the payments and paying the interest.

Christi Wood: Yes. They will pay us monthly and we will make the payments.

Mayor Newton: What is the pleasure of the board?

Commissioner Hagle: Move approval as presented. Motion approved unanimously.

11. FY 2022 Budget Amendment No. 1

Finance Director Christi Wood: We ask for you to reappropriate money for projects and purchases that were scheduled in the prior fiscal year, and due to timing or scheduling, they did not get completed prior to June. General fund amendment of \$165,440. Utility Fund amendment of \$105,579.

Mayor Newton: What is the pleasure of the board consent agenda? Approved unanimously.

12. Financial Notes and Tax Balances

Finance Director Christi Wood: Sales and Use tax distribution for July is \$190,518 (April sales). As usual at year-end a monthly financial report is not provided for June. Staff is currently working on the audit and year-end accrual entries.

No questions from the commissioners.

13. Return to In-Person Board Meetings Effective August 2021

Town Clerk Allen Coleman: During the June 28 meeting, it was suggested about going back to in person meetings in August. As you know, at the last work session, the board decided to move all meetings to the train depot going forward, not just the regular meetings, but also the work sessions to allow more space when meetings return to in person.

Commissioner Hollinshed: I suggest we see how the next few weeks go regarding COVID numbers before making a decision.

Commissioner McDonald: We need to take our time going back to in person meetings.

Commissioner Harker: I think we should hold off until we have more information.

Commissioner Carter: I think you get better communication in person but will go with whatever the board decides.

Mayor Newton: Consensus to reevaluate in August at the next work session. Approved unanimously.

**Mayor/Commissioner Comments**

Commissioner Harker: We're going to have a grand opening dedication of Randolph Johnson Park. The Park has been a good thing for the Town of Beaufort. The town is receiving a Pelican award.

**Adjourn**

Commissioner Harker makes motion to adjourn – motion approved unanimously.

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Mayor

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Deputy Clerk



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**Town of Beaufort Board of Commissioners Special Meeting  
Public Input on Town Manager's Search  
6:00 PM Tuesday, August 17, 2021 - Virtual  
Minutes**

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**Call To Order**

Mayor Newton called the meeting to order

**Roll Call**

Town Clerk Allen Coleman called roll and declared a quorum present for the meeting.

**PRESENT**

Mayor Everette Newton

Commissioner Sharon Harker

Commissioner Ann Carter

Commissioner Marianna Hollinshed

Commissioner John Hagle

**Agenda Approval**

Commissioner Hagle made motion to approve agenda, motion carried unanimously.

**Purpose Review**

Mayor Newton: Our current town manager has done a spectacular job of getting this into a long-term planning and budgeting cycle. We've cleaned up our waterways, we're fixing infrastructure, a lot of great things are happening in the Town of Beaufort, John Day is going to be retiring. And just as a characteristic of his great leadership, he is setting us up for success by getting started to search for a new town manager. With that being said, I'd like to turn this meeting over to Ellis Hankins to help guide us through this process, again, the intent being this evening to hear from the public on your expectations.

**Ellis Hankins:** I enjoyed talking individually to each of you today about the search, and what you all believe the board ought to be looking for in your next town manager, background qualifications, personal characteristics, and surely hands on relevant experie Beaufort operates under the council manager form of

government. And that means a division of responsibility between the elected governing body and the appointed town manager. Citizens elect the mayor and board to make the policy decisions, approve the budget, appoint the manager, and generally oversees operations and services. The town manager who's appointed by the board recommends the budget. And then once the board approves it, administers the approved budget, appoints, and supervises department directors and generally directs operations and services under the policies and priorities of the town board. I gave you all today a draft job ad, and couple of you made suggestions about minor changes to that. So, if you're comfortable with that, and you see fit to approve it, very soon, it'll be time to place that job ad in several places. Then with the recruitment brochure when it goes through a couple of drafts and we have nice photographs, and you all approve it. Then we'll send it to everybody we can think of and that starts this process of active recruiting. We will keep you informed of our progress. We've set a soft application deadline of October 12. I have proposed a meeting with the council around October 20, for me to talk with you all in a closed session about strong candidates. Then once you narrow it down further, I will do a more in-depth background check. Hoping for interviews to start around November 8. Part of our contract is to assist you all in negotiating terms of employment.

**All Commissioners:** No questions or comments at this time.

**Allan Coleman:** Emails that have been received will be forwarded to Ellis Hankins.

**Public Comments**

**Dr. Barbara Garrity Blake:** I live Down East in Gloucester, I'm not a Beaufort resident. But I've had the pleasure of working with town residents and staff as part of the Z Smith Reynolds funded Eastern Carteret collaborative effort. I very much hope that the New Town Manager for Beaufort is someone who prioritizes meaningful community engagement and outreach. Also, I hope that the new manager is someone who sees the big picture, and values working collaboratively across boundaries for a stronger, more resilient Eastern Carteret region. I have seen a shift in people's attitudes toward Beaufort, including the willingness to work with town staff and citizens, and I've seen some strengthening trust in that relationship.

**Mayor/Commissioner Comments**

**Commissioner Carter:** I was very impressed talking with Mr. Hankins today and he's got a job ahead of him because I know, we want perfection, and I'm not sure where he's going to find it. But I really appreciated that.

**Commissioner Harker:** Yes, after speaking with Ellis today, I feel that we're in good hands, he seems to be able to gather the information and try to put it together for us, seems to be coaching us to be a little more open minded, which I think is very important for us to be able to do that.

**Commissioner McDonald:** I appreciate the opportunity to speak with him this afternoon

**Commissioner Hagle:** I'm tickled with the process and look forward to moving along.

**Commissioner Hollinshed:** I think we'll have a good and open process. I am floored that we have no more comments than we've had tonight. Folks always want to be heard and insist sometimes on being heard.

**Mayor Newton:** John Day was hired before I became mayor. And I will tell you that it has been a tremendous opportunity to work with John and all the great things that he has done for this community.

**Adjourn**

Commissioner Harker makes motion to adjourn – motion approved unanimously.

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Mayor

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Deputy Clerk



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**Town of Beaufort Board of Commissioners Work Session Meeting  
4:00 PM Monday, September 27, 2021 - Zoom Meeting due to COVID-19 Pandemic  
Minutes**

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**Call To Order**

Deputy Clerk, Rachel Johnson, read the following statement: *Hello and welcome to the September 27, 2021, Work Session Meeting of the Town of Beaufort Board of Commissioners. For individuals who wish to speak during the general Public Comments, please type “public comment” and your name in the chat box on your screen and you will be recognized at the appropriate time. If you are an individual with standing and would like to testify during the quasi-judicial proceeding, please type letters “q-j” with your name and address in the chat box on your screen and you will be recognized at the appropriate time. Thank you.*

Mayor Newton called the meeting to order.

**Roll Call**

Deputy Clerk, Rachel Johnson, conducted roll call.

Present: Mayor Newton, Commissioner Carter, Commissioner Hagle, Commissioner Harker, Commissioner Hollinshed, Commissioner McDonald

**Agenda Approval**

Commissioner Hagle made a motion to approve the agenda as presented. Mayor Newton conducted a roll call vote. The motion passed unanimously.

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

**Public Comment**

No Public Comment.

**Project Updates**

Greg Meshaw, Town Engineer, provided an update on Town projects. He said that there were 13 active projects, but three were completed today – two stormwater projects and one building project.

Cedar Street Park. Mr. Meshaw referenced the bi-weekly update, where the Board was notified that staff contacted NCDOT for an update on the dedication of right-of-way where Cedar Street Park is going to be located. He said NCDOT is in the midst of a property transfer to the Fasolinos. NCDOT said that they would like to start with the abandonment of the right-of-way process for the future location of Cedar Street Park, noting that the division office said the process would take roughly six months. He added that there had been discussions of NCDOT reimbursing the Town rather than completing the resurfacing work prior to dedication. NCDOT agreed to reimburse the Town in the amount of \$55,000.

Town Wide Sidewalks. Mr. Meshaw said that Carteret Avenue from Lennoxville Road to Third Street is nearing completion, and that there is still some site work that needs to be done. He added that there is a raised crosswalk at Third Street and Craven Street, and that pavement markings still need to be completed. He said staff believes the markings and the rise in the pavement will help slow traffic. Mr. Meshaw then showed a map of the sidewalks that have been completed. He said the next stretch will be on Live Oak where the library is located, going down Live Oak toward Wellons Drive.

Downtown Parking Area. Mr. Meshaw referenced a recent budget amendment for the Downtown Area Parking project. He said that the Purchase Order has been issued and that a contractor has been selected.

Wastewater Asset Inventory Assessment – USDA Funded Utility Project. Mr. Meshaw said that the television inspection of the gravity sanitary sewer has been done. He then discussed a map showing the areas that have been inspected through the Wastewater Inventory Assessment, USDA funds, and additional areas that were inspected with remaining funds.

Charles Street Area Drainage Improvements/Maintenance. Mr. Meshaw referenced a drainage improvement project along Charles Street. He explained that this drainage system goes to Lennoxville Road, crosses Lennoxville and then runs in pipes across 1501 Front Street, and then out to Taylors Creek. He said along that route, on private property, there were large sinkholes. Staff found the sinkholes all were a result of failing pipe joints which have been sealed to prevent any soil from penetrating the pipe. He added that town staff is responsible for all of the work done with these projects.

Fire Station 2 Renovation. Mr. Meshaw said that Sam Bell has been working on the design for the renovation of Fire Station 2. He showed preliminary plans that have been done and explained that the plans are at 90% completion and said that they plan to have everything ready from the engineering department no later than the week of October 4<sup>th</sup> so that they can have everything in order and ready to obtain building permits.

Human Resources Office Renovation. There were several repairs that needed to be done in what is now Human Resources' Office, which is now complete.

Turner Street Traffic Calming: 4-way Stop. Mr. Meshaw reminded the Board of guidance last year for staff to look into traffic calming measures at the intersection of Turner Street and Broad Street. He then asked Sam to speak about his findings. Mr. Bell showed existing conditions at the intersection, and pointed out visibility issues, and other pedestrian-related safety concerns. He explained that he'd come up with two options. Option one is a raised crosswalk on Turner Street, South of the intersection. He said some of the elements in both options would include better visibility crosswalk markings, noting that the markings currently in place are quite faded. Another issue he observed is that the corner with the courthouse driveway is problematic, and cars frequently get bunched up in the area. He said shifting the driveway east so that it is no longer on the sidewalk, and further away from the intersection itself, it would provide pedestrians with a landing area at that corner. He further recommended adding a bumpout to match the other side of the street. He added that rumble strips could also be placed on Turner Street to alert drivers of the crosswalk in advance. Mr. Meshaw added that the proposed bumpout gives the opportunity to have a crosswalk on Turner, closest to the courthouse. Option 2 is very similar to Option 1 but has a 4-way stop rather than a raised crosswalk.

Commissioner Hagle said that both options are good ideas. He said that oftentimes there is traffic that comes down in groups from the Turner/Cedar Street intersection. He said stop signs are good but wonders if it would impede ingress and egress at the courthouse.

Commissioner Carter asked if the stoplight is going to be removed. Mr. Meshaw said that it hadn't been considered, but that it could be removed. If the Board opted for the 4-way stop, it would need to be removed.

Commissioner Hollinshed said that the medians are much larger in this part of town than in others. She voiced concerns about visibility with the bulbouts for cars stopping before the crosswalks.

Commissioner Harker asked if there would be rumble strips on the northbound side of Turner Street as you approach the intersection south of the raised crosswalk. Mr. Bell said that is something that could be considered. Commissioner Harker asked Mr. Meshaw if there had been any progress on refinishing some of the crosswalks in town that have become faded overtime. Mr. Meshaw said that there is still a supply issue, but that staff is still trying to get the materials.

Commissioner McDonald said that the intersection Mr. Bell spoke about is a very high-traffic area, and any improvements need to be considered thoroughly.

Mayor Newton applauded Mr. Meshaw and Mr. Bell for their work and progress. Campen and Live Oak project completion connects kids from the east side of the road to school, and kids in the Professional Park neighborhood can walk to the library now.

Mayor Newton asked if the Board would like to place the Turner/Broad on the agenda at the next meeting as a discussion item. The Board unanimously agreed.

**Items for Discussion and Consideration**

- 1. COVID Numbers in Carteret County, Mask Ordinance Discussion and Returning to In-Person Meetings Check-In

Mayor Newton said that as of the 4:00 p.m. update, active COVID cases in Carteret County have decreased from 319 to 258, with hospitalizations down from 20 to 15. He added that there is an additional death from COVID reported in the county. Mayor Newton asked the Board to look at three things: the mask ordinance, in-person meetings, and emergency leave provisions.

The Board agreed unanimously to continue holding meetings virtually, and to reevaluate at the October meeting.

Commissioner Harker said that she felt the mask ordinance is no longer necessary as numbers are coming down and people are masking on their own. Commissioner Carter, Commissioner Hagle, Commissioner Hollinshed, and Commissioner McDonald supported keeping the ordinance in place.

The Board agreed unanimously to keep the emergency leave provisions in place as they are currently.

- 2. Minutes

Deputy Clerk, Rachel Johnson, explained that there is a backlog of minutes, but that staff has a plan that staff and former employee, Kate Allen will be working to get the minutes caught up. Discussion ensued. The Board emphasized the importance of the minutes and suggested a new policy moving forward. Town Manager, John Day explained that this will be the top priority for the incoming clerk.

- 3. Presentation Request

Rachel Johnson, Deputy Clerk, said there is a request for the next meeting from a Beaufort Resident. Doug Doubleday has requested to speak for ten minutes about the subject of Plastic

Free By the Sea. The Board agreed unanimously to place the presentation on the regular meeting agenda.

4. Water Rate Adjustment – Eastman Creek Subdivision

Greg Meshaw, Town Engineer, reminded the Board that the County Board of Commissioners voted during its June 21 Regular Meeting to raise water rates in the county by 95%. The Beaufort Board of Commissioners responded by adopting new water rates on August 23 during the Work Session, with those newer rates structured to allow the town to break even when it comes to providing water and maintaining the distribution system. He explained that during the September 20 Regular Meeting, the Board of Commissioners did a partial reversal of their decision and decided to reduce water rates by 25%. Mr. Meshaw explained that the proposal before the Board for consideration at the next regular meeting is an alternate rate, reduced from \$33.80 to \$23.25, while keeping the variable fee unchanged. The proposal includes flat fees for one and one half, two-, and three-inch meters just in case someone puts in a larger meter at some point.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

5. To approve or deny the Site Plan for Pruitt Health Care Nursing Home/Skilled Care Facility to contain 104 Beds/Units.

Sam Burdick, Town Planner, provided an overview of the request for Pruitt Health Care, as well as a brief background of the subject property.

Mayor Newton asked Ms. Burdick or Mr. Day to speak to the traffic impact and coordination with NCDOT. Mr. Day explained that NCDOT is paying close attention to impacts as it is their road. He added that since this is a satellite annexation, there will be little to no impact on town traffic as it's surrounded by unincorporated areas.

Commissioner Hagle asked several questions about the stormwater retention pond that he would like addressed at the next meeting, as well as concerns about the amount of pervious surfaces in the proposal.

Commissioner Carter asked Mr. Meshaw to confirm that the 12,890 gallons of sewage has already been included in the Town's obligations. Mr. Meshaw confirmed.

Commissioner Harker asked if the retention pond would be able to support growth in that area in the future. Chase Cullipher, The Cullipher Group, said that the pond is sized for the future addition of the building and parking expansion. He said there is potential for additional development at the southwest corner but noted that there is no plan for it at this time.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

6. Case #21-24 Final Plat – Front Street Village Phase 4

Sam Burdick, Town Planner, provided an overview of the request, along with a brief background of the subject property. She explained that the applicant has chosen to request to bond the infrastructure improvements and has submitted cost estimates of \$594,112.50. She said that there is no sewer allocation request being made since this was due to the prior approval to the January 11, 2021 Wastewater Allocation Policy's adoption. In addition, the applicant will be paying \$5,875 in recreation fees as part of the subdivision requirements.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

7. Financial Notes

Christi Wood, Finance Director gave an overview of the financial report for August, along with notes about tax balances for July and August. She added that, like months prior, the sales tax distributions were included, noting that September is for June sales in the amount of \$250,815.

John Day, Town Manager, added that this concluded the fiscal year collection, which was 32% higher than the previous year. He reminded the Board that for FY20, as a COVID precaution, the Town reduced the budget amount for sales tax assuming there would be a drop in business and travel. Sales tax revenue exceeded the budget amount by \$894,000. He said that his recommendation would be to hold that money in a capital reserve for outstanding projects that do not have committed funding. The Board agreed that the money should be put away.

**Reconvene Quasi-Judicial Proceeding**

- 1. Request for Special Use Permit – 1550 Lennoxville Road - Gas-Service Station (Jim Dandy Stores); Case No. 21-17

Mayor Newton read the following statement, “*This hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. The Board of Commissioners must base its decision upon competent, material, and substantial evidence in the record. A quasi-judicial decision is a decision contained by the standards in the land development ordinance and based on the facts presented. All applications for special use permits must be consistent with the Land Development Ordinance for the Town of Beaufort and whether the special use is appropriate in the proposed location. For certain topics the Board of Commissioners may hear open opinion testimony from expert witnesses. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion. Witnesses must swear or affirm their testimony. If you've been sworn in before, you don't have to be given the oath again.*”

**Mayor Newton:** Where we have been... we started with the applicant and his description of the project, then we went to the residents and the residents also brought in their experts. We whittled that away to three different areas: traffic impacts environmental impacts and zoning. And from there, we whittled that away to one topic this evening, which is traffic impacts. And unless the commissioners, the majority of commissioners, want to do so, we will not open the aperture beyond that those traffic impacts. So, with that being said, are there any experts left from the last time that the commissioners would like to hear any kind of rebuttal on the traffic impacts? Are there any expert witnesses from the folks that would like to rebut the applicant’s statements? I do believe I saw Dr. Bugg in the audience. Dr. Bugg?

**Dr. Zachary Bugg:** Yes, I am here. Hello.

**Mayor Newton:** Great. Okay. Do you need us to bring up a presentation, Dr. Bugg?

**Dr. Zachary Bugg:** I have it up and would be happy to share it.

**Mayor Newton:** Let's see if we can get that done. And if you can, please keep your comments to no more than 15 minutes.

**Dr. Zachary Bugg:** Yes, sir.

**Mayor Newton:** Thank you.

**Dr. Zachary Bugg:** Alright, it just looks like I need to be enabled here, share my screen here. My name is Zachary Bugg. I'm a Senior Engineer at Kittleson and Associates in Wilmington. I did go under oath and provide that a couple of weeks ago at the previous meeting. I've reviewed hundreds of studies like this. I've prepared my own for several hundred sites like this. And I have reviewed, on behalf of the residents here, the updated site plan provided by the applicant that is shown here.

**Dr. Zachary Bugg:** Just general comments. This is what has been called a preliminary site plan. So, scale, a lot of the design detail features here do not appear to be finalized yet. So, I base my review off of what you see here. So, I really have three general comments, and I will try my best to be brief here. You'll see up on the screen comment number one is related generally to tractor trailer movements serving the site. And I'll go through a few diagrams here the bullet points here will stay the same. But it appears that without any additional information beyond this site plan, it does not appear that fuel tankers will be able to access this site without tracking off of the roadways or potentially creating a hazard in the roadway. So, I'll show a few diagrams here. As shown on the site, the fuel storage is just shown here to the north end of the site and will be placed on the north end of the pumps. So presumably that will be where tractor trailer trucks fuel tankers will be servicing the pumps. See here that the site plan reflects the revised access that has been recommended by NCDOT, thereby providing a right-in and right-out access, removing the existing driveway closer to Ocean Street, and then providing a full access via Ocean Street. With that said, it appears that truck egress will have to be done on to Ocean Street. I've shown just a general arrow here for where that truck movement will occur. The pink bar you see here is the approximate size of that tractor trailer. So, as you can imagine that would, by turning out of the site and on Ocean Street block movements onto Ocean Street. And then it appears that the site [inaudible] intersection, as improved here would not accommodate that truck to perform movements in or out at Ocean Street. Is there a question? Should I stop here?

**Mayor Newton:** No, no, please continue. Commissioner McDonald, do you mind muting please?

**Dr. Zachary Bugg:** Thank you. So that I've also pointed to a couple of the curve radii here that the one on the right, the Ocean Street and Lennoxville Road. Again, I acknowledge that this is a preliminary site plan, but as shown here, that radius would not be large enough for a fuel tanker to pull out of the site and make a right turn on Ocean Street. Similarly, the radius at the right-in, right-out driveway would not be large enough for a fuel tanker or a or a pickup hauling a boat, or car and boat combination. All of that would have to leave the Ocean Street ingress. So, those comments again are related to tractor trailer access. And just to summarize, it does not appear, without a truck turning diagram to review or anything like that, it does not appear that the site is set up to accommodate those large vehicles.

**Dr. Zachary Bugg:** Comment number two is related to the design of the improvements provided by the applicant at the request of NCDOT, namely the roadway widening, the median as shown here that it's meant to restrict access to right-in and right-out, and generally the roadway design. So, I'll go through a few markups here. One item of note is what's called the taper, which is really anything related to the transition area between the existing two-lane cross section to the widened area where we go two to three lanes with left turn lane, that transition length is called the taper. And as you can imagine, the shorter the taper, the more abrupt the change in the vehicle trajectory is going to be less comfortable, more potential for vehicles departing the roadway, hitting items, like the median or the curb. So, the longer a truck, the higher the speeds, the longer the taper needs to be. There's a formula for this. And on my calculations, the minimum taper to be provided should be 340-foot length. So, what is shown here, these arrows show 175-foot typical length. And then also on the other side of your screen here, you'll see that the roadway, as it narrows back to two lanes, the full length of the taper is not shown on this diagram. And it does not appear to be a 340-foot minimum. So, my main observation with this slide would be to increase the taper length that transition area which would thereby extend the extensive construction beyond what you would see here to widen the road. Also related to the design of these improvements, you see here, the median starts here another road, they've provided a four-foot median here to enforce the right-in and right-out operation of driveway that knows that the median should really begin in a transition area.

So that there's a document called *A Policy on the Geometric Design of Highways and Streets* that's published by the American Association of State Highway Transportation Officials. And it provides the standards for providing that transition length before you come to a median like this. Ideally, you should not just start a median in a two-lane roadway with no buffer and no widening in advance of the median that cuts down on the chance of vehicle striking that median knows when it starts that abruptly. So again, I would want to see a longer extensive construction here to the west of Lennoxville Road to really start that transition area so that you have a larger painted median before you begin that raised section. And finally, the on this comment, the streets and driveways in the north side of the road are not shown, and while they don't have anything specific to the design of those, it would be helpful to see the interaction of this these improvements and how they may affect Briarpatch Drive which begins just where this red rectangle is here on the way on the left side of your screen. Whether or not the median restricts access there, how turning movements may be conducted with the presence of the new median, basically all that would need to be reviewed in relation to where that intersection is and it's not shown on this preliminary site plan. Same thing with driveways, near Ocean Street, any planned .... All of that would need to be assessed in relationship to those off-street improvements on Lennoxville Road.

**Dr. Zachary Bugg:** Finally, it is related to not just traffic but traffic impact, cumulative impact of the traffic on the site. This has been a topic of much discussion, I realize, but there's nothing other than a site plan that documents the anticipated impact additional traffic for the gas station use relative to the existing use. I'll provide a few thoughts here. These two movements with the updated site plan and the access restricted here, you're now funneling much more traffic on the left turns into the Ocean Street, the existing Ocean Street intersection to access the gas station, and also to leave the gas station. So, these would thereby be the highest volume movements at the site, just based on the six fueling positions that they provided but estimate that these two movements could be two or three hundred vehicles per day, each with a total impact to the Ocean Street leg of this intersection, approximately 800 vehicles a day relative to what is there today. And while I realized that may be much lower during the peak hour, there's no documentation or consideration of the existing traffic on Ocean Street, which is

likely much, much less than that 800 vehicles per day, and the cumulative impact of that traffic. And finally, on this comment, made note that this queue storage, that's what I like to call it [inaudible] back up vehicle is lining up to make a turning movement into or out of the site. The applicant has shown preliminarily a 50-foot storage length for this westbound left turn Bay onto Ocean Street. That is only enough space for approximately two passenger cars. Just standard size vehicle, not a truck, not a pickup hauling a boat trailer, that sort of thing. So that's a pretty short queue storage. And again, with without any additional information provided by the applicant, the form of traffic impact study, there's really no way of assessing whether that queue may be longer, it could still back and hinder the flow of traffic in the mainline lane westbound on Lennoxville Road. You just don't know whether or not that queue storage bay is long enough to accommodate... typically what we plan for is the 95th percentile worst case for two years throughout the day. Additionally, this neck what we would call it in between the stop sign and Ocean Street. And the first driveway at the gas station is really less than one passenger car length, it's about 25 feet. So again, if there's more than one car that stacks up here, the access to the driveway potentially access to Ocean Street, you know, if cars, pull out of the driveway and block that intersection with Ocean Street, there's a potential for access to that old neighborhood to be blocked. And again, I would just suggest that a traffic impact study or traffic assessment be prepared to document whether that would occur or would not occur. So, with that said, I'm available for questions and discussion. Any discussion with the applicant? I would welcome to have that now. Thank you.

[Questions/Discussion Slide: Zachary Bugg, PhD, PE – Kittelson & Associates – zbugg@kittelson.com – 910.399.5699]

**Mayor Newton:** Alright. We'll see if there are any other experts who are willing to speak at this time and then we'll go to the applicant to see if there any comments. Are there other experts that are signed up? And if you're not an expert, you will not be allowed to speak during this time. Rachel, do we have anyone else signed up?

**Rachel Johnson, Deputy Clerk:** We have several people signed up that have stated that they are homeowners in the area. We have Barbara Buckley, Robin Smith, Lisa Cox, Suzanne Lea, Lori and Bob Cunningham.

**Mayor Newton:** Okay, so let's go through each one and have them state their expertise in traffic impacts.

**Rachel Johnson, Deputy Clerk:** The first one would be Barbara Buckley

**Barbara Buckley:** No, I do not have any expertise.

**Mayor Newton:** Okay. Thank you, Barbara. Who's next?

**Rachel Johnson, Deputy Clerk:** Robin Smith

**Mayor Newton:** Robin?

**Robin Smith:** Yes, thank you, Mr. Mayor. I'm actually an attorney representing a number of the homeowners and the like.

**Mayor Newton:** Excuse me, please. Are you an expert in traffic impacts?

**Robin Smith:** I am not an expert in traffic impacts. The point I wanted to make..

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**Mayor Newton:** I'm sorry. I'm sorry to cut you off. I'm not rude by nature, but we need to stick to the traffic impacts, the traffic impacts portion of this as well. Who was next?

**Robin Smith:** Mr. Mayor, Mr. Mayor?

**Mayor Newton:** No, I'm sorry.

**Rachel Johnson, Deputy Clerk:** Lisa Cox.

**Mayor Newton:** Okay. Lisa, are you a traffic impacts expert?

**Lisa Cox:** Can you hear me okay?

**Mayor Newton:** Got ya loud and clear. Thank you.

**Lisa Cox:** Okay. I'm a traffic expert for this area. I mean, I drive on Lennoxville Road and Ocean every single day. And I can happily communicate that to the Board of Commissioners.

**Mayor Newton:** okay, I don't think that qualifies you as a traffic impacts expert. Thank you, Lisa. Who else, Rachel?

**Rachel Johnson, Deputy Clerk:** Next, we have Suzanne Lea.

**Mayor Newton:** Okay, Suzanne.

**Suzanne Lea:** Yes. Hi, this is, Suzanne Lea, I am not a traffic expert either. But I did want to speak about my experience with, uh with these potentials on Ocean Street when that comes to pass.

**Mayor Newton:** Thank you. And who else has signed up, Rachel?

**Rachel Johnson, Deputy Clerk:** We have Lori and Bob Cunningham.

**Mayor Newton:** Okay.

**Lori Cunningham:** This is Lori Cunningham. I am not a traffic expert. But I too have experience having lived on the street for years. And I think the

commissioners would value what we have to say and it would help in their decision making process to hear all of the information from the residents who live in this area. It's crucial to hear what we have to say please do not shut....

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**Mayor Newton:** Thank you, Lori. Is there anyone else that signed up Rachel?

**Rachel Johnson, Deputy Clerk:** Then I have Chase Cullipher.

**Mayor Newton:** Okay. Now we're gonna go to the applicant and, Chase, I'm going to limit your comments to 15 minutes as well.

**Chase Cullipher, The Cullipher Group:** Okay, Mr. Mayor. Not a problem. Trying to start my video. Thank you, Dr. Bugg, actually made a lot of good points that since our last meeting, we've kind of come to realization and done some things to address some of the items he pointed out. I know that there was some concern with the concrete median being on Lennoxville. So, I had a couple items I wanted to add with regards to that, and I realized that in the last meeting, I've focused a lot on the improvements on Lennoxville, and my coordination with NCDOT. Since then, I've reached out to Greg Meshaw, with Town of Beaufort engineering, and discussed improvements to be made on Ocean Street, I think it would help with some of the items that Dr. Bugg pointed out, and also communicate with NCDOT. One thing that I stated last time, but I kind of wanted to reiterate for the record, is that this is preliminary. As far as a review, I mean, we can't have a 100% known road improvements plan until we actually apply to NCDOT for said improvements. We can't actually do that application, as long as JM Davis Industries is not the owner of the property. And he is not gonna be the owner of the property because that is contingent upon the special use being approved. So, I just wanted to state that, you know, this is an item that, I'm trying to put forth a likely scenario so that we demonstrate that it is feasible to have these traffic improvements here and still provide service for a gas station. With that said, can I share my screen?

**Rachel Johnson, Deputy Clerk:** Chase, you should have capability to do that.

**Chase Cullipher, The Cullipher Group:** Okay.

**Lori Cunningham:** Is Mr. Cullipher a traffic expert?

**Mayor Newton:** Mr. Cullipher is the applicant's engineer.

**Lori Cunningham:** Doesn't make him a traffic expert

**Chase Cullipher, The Cullipher Group:** Yes ma'am. I have an engineering degree from NC State, and I've worked in traffic divisions at Stewart engineering for several years before moving back home to Beaufort, where I do a mix of traffic-related and other land development projects.

**Mayor Newton:** And... please stand by just a second, Chase. No one.. No other people are going to be asked or allowed to interact right now except for the applicant and Dr. Bugg. Okay, please continue.

**Chase Cullipher, The Cullipher Group:** Understood. I know there's a little bit of concern with concrete median in the right of way.. being local to Beaufort I just recall this Turner Street Extension being added here. And I think we're all familiar with this. This is Pine Street focus of looking west towards Gallants Channel Bridge, where they had a new concrete median put in the middle of Turner Street, which is a primary access for downtown Beaufort. I would note that there's a little bit of a nose there for Dr. Bugg's comments, but we actually address a little bit of widening with the safety for the where the concrete is just in the middle of two traffic lanes. And this is where it's actually down to about four foot in width, and this is what we're proposing right now that we would propose to do. I think that the public gets used to traffic changes when you have traffic pattern changes and a right-in and right-out, people respond and do what they need to do. And I think it's the safety measure, it makes the interactions on the road intersection safer. And that's why I included in my preliminary proposal. Further, when I spoke with Greg Meshaw – and I wanted to reach out to him and you know, I knew that we needed to show more improvements on Ocean Street and asked Greg what would the town be interested in doing so that we could demonstrate that this could work or not? He specifically said you know, fuel truck turning movements. So, Dr. Bugg is probably familiar with AutoTerm. It's a standardized AASHTO program software, where you can put in trucks and cars, and what I have here is the, the program that I have downloaded and would ... am somewhat familiar with from a past engineering firm. This is the package of vehicles I got and the WB40 most closely resembles what Jim has coming in for fuel. And that being said, last week before being aware of Dr. Bugg's comments, and speaking with Greg, I proposed the widening of Ocean Street. And what you have here is me driving the WD40 semi-truck trailer down eastbound on Lennoxville and turning it in where it would stop and then pulling back out where we continue eastbound. Every one of those little trucks is me clicking the mouse. This is a video of that said movement. And you see it comes in, it's able to make a stop, fuel of the underground storage tanks, and then it can come out and safely make that movement. And to Dr. Bugg's point earlier, we do know that this could be a conflict for people turning onto Ocean Street, we are more than willing to admit that we understand that. I think our point in contention to that is that's common in Beaufort. I think if you go down Front Street at nine o'clock in the morning there is a truck or two stopped in the roadway, and traffic responds accordingly, they drive around it. They're in the public right-of-way while they load and unload. I know that at Big Daddy Wesley's a similar sized vehicle actually pulls into the turning lane, and they dolly their goods and services across Turner Street into Big Daddy Wesley's. My office is in Morehead City, and I frequently drive past the Food Lion on Highway 70. In Morehead, if the Food Lion truck is pulling out onto that five-lane stretch of the road, it's blocking up five lanes and people instinctively slow down. I think that if these trucks, you know be it, Dorito's delivery, you know soda delivery, etc. They'll be able to come in be off the right-of-way unload and load their services or goods here. And then with time, they'll be coming to a different location, and I would not be surprised if these drivers learned to stop here and check and then they will be able to continue further east on eastbound to continue the same deliveries to the Boathouse for snacks, drinks, and fuel. This impediment to the right-of-way for people turning around Ocean Street would not happen for very long. In talking with Jim, it would only happen approximately once a day. Jim knows when his trucks come in and are staggered and they try to come in on off-peak times. So that way they do not impede, you know, when the site is being used significantly. And so, we're aware

of that little hang up, but I feel like with the traffic patterns, improved Ocean Street road widening, and other improvements along Lennoxville, that this site can be safely ingress to egress with a truck as long as a fuel truck and there is potential for smaller vehicles if necessary.

I have another screen... Commissioner Harker had talked about some other traffic patterns at our last meeting. This is a car that we chose – it's 19-foot, it's a pretty long car, I'd say my pickup truck is probably similar length. This is a similar video that I did with the car coming from the east side of Lennoxville and heading westbound, and as it drives through, it queues in, and some of these movements have been improved based on some of the comments that Dr. Bugg made, but they can see where they get fuel. And then they could get out of the site.

**Chase Cullipher, The Cullipher Group:** I was actually made aware of Dr. Bugg's presentation earlier this afternoon. And he may know something I don't. I know his PhD is specifically traffic. But this was in regard to the lane widening. So, we have a design speed and the posted speed is 35 MPH. The design speed is 40 MPH. Once you know that this design speed of 40 is what you want to use, you pick the formula as correct here. And he showed that in his presentation earlier, but where I would contend we'd defer is on the W, which is the width of lateral shift in this. And why I'm saying that is these are 11-foot lanes, which is typical for DOT, but we're doing symmetrical widening, where we're going to have an 11-foot of widening of the road, but it's going to be symmetrical based on the centerline where the five and a half would be done to the south side of the road, and five and a half will be done to the north side of the road. So, I would contend that that is a different number. And that it would if you use my five and a half lateral width, or the DOT policy and guidelines that this actually makes those tapers 147 feet, which I have on our plan that has nothing less than 150. And if I'm wrong, Dr. Bugg, I'd be happy to discuss I just do [a lot] with DOT. And I'm actually at home right now because my son caught COVID at Ann St. and so I wasn't able to get my [inaudible] book at my desk so I wasn't able to actually check that. But I knew I had that DOT slide, and I'm pretty sure DOT and AASHTO dictate the policies together. You know, that said, ultimately DOT isn't concerned with the land use of this property. I think the town's engineer, Mr. Meshaw, he's concerned with the town in general, and he's concerned with the impacts to utilities stormwater access. But I believe that if the Board of Commissioners is interested in this property to have this special use, then James Davis Industries will be able to coordinate with NCDOT, and coordinate with the Town of Beaufort, and make sure there's a as safe as possible application for ingress and egress of this roadway.

**Mayor Newton:** Alright, let's go to the Commissioners and see if they have any questions of the applicant or of Dr. Bugg. Commissioner Hagle?

**Commissioner Hagle:** I have no questions.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Just one question for the applicant. Approximately how many tanker trucks do you all anticipate? Daily, weekly, or however it comes?

**Chase Cullipher, The Cullipher Group:** I can defer to Jim, but I specifically asked him this question, and he essentially schedules it where there's one a day, so on Mondays might be the fuel truck on Tuesdays will be the Coca Cola truck on Wednesdays would be the Frito Lays truck, and they intentionally try and keep it off peak hours.

**Mayor Newton:** Okay. Commissioner Hollinshed? And, uh, Commissioner Hollinshed, you're muted.

**Commissioner Hollinshed:** Sorry about that. It's a masterful presentation, but I have no questions. Thank you.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** No questions at this time.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have no questions.

**Mayor Newton:** Okay. Thank you. By consensus... Are there any more questions that the Commissioners have before we further do the deliberations? Commissioner Hagle?

**Commissioner Hagle:** No questions.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** No questions.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** No questions.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** No questions.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have none.

**Mayor Newton:** Thank you. May I have a motion to close the public hearing?

**Commissioner Hagle:** So moved.

**Mayor Newton:** Motion has been made. Is there any discussion? Let's go down the roster for a vote. Commissioner Hagle?

**Commissioner Hagle:** Aye.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Aye.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** Aye.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** Aye.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** Aye.

**Mayor Newton:** Thank you. What's the pleasure of the Board?

**Commissioner Hagle:** I move approval of denying the special permit for the reason that the proposed special use will not be compatible in harmony with the adjoining land uses and the development pattern in the immediate area. If you look across the street on both sides of this, it's residential and future land use shows that also.

**Mayor Newton:** Okay, a motion has been made to deny. Is there any discussion? Let's go down the roster for a vote. Commissioner Hagle?

**Commissioner Hagle:** Aye.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Nay.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** Aye.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** Aye.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have a question if I'm in order...

**Mayor Newton:** No, sir. We've gone through the discussion and now we're in the vote.

**Commissioner McDonald:** Okay. I'll vote aye.

**Mayor Newton:** The request for a Special Use Permit at 1550 Lennoxville Road for a gas station/service station for Jim Dandy Stores, case number 21-17, is denied.

*Commissioner Hagle made the motion to deny the request for a special use permit. The motion passed with 4 in favor, 1 opposed.*

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

*Voting Nay: Commissioner Carter*

**Mayor/Commissioner Comments**

Mayor Newton asked for Commissioner comments.

Commissioner Hagle had no comments except drive safely. Shorter light hours and driving too late in the afternoon, the sun is often blinding, so be careful and drive safely.

Commissioner Carter encouraged everyone to get vaccinated.

Commissioner Hollinshed wished to extend her sympathy to the Garner family.

Commissioner Harker echoed Commissioner Hollinshed's remarks. She also thanked Rachel for filling in as Town Clerk, adding that she's done a great job as always trying to keep the Board on track. She further added that she looks forward to seeing the new clerk next month.

Commissioner McDonald had none.

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**Adjourn**

Meeting adjourned.

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Mayor

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Deputy 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

**Board of Commissioners Regular Meeting  
6:00 PM Monday, January 10, 2022  
Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** Items of Consent  
**SUBJECT:** Minutes

**REQUESTED ACTION:** Approval of the November 22, 2021 BOC Work Session Minutes

**EXPECTED LENGTH OF PRESENTATION:**  
1 minutes

**SUBMITTED BY:**  
Elizabeth Lewis, Town Clerk

**BUDGET AMENDMENT REQUIRED:** No



**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, November 22, 2021 - Zoom Meeting due to COVID-19 Pandemic  
Minutes**

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**Call To Order**

Mayor Newton called the meeting to order at 6:00 p.m.

**Roll Call**

Elizabeth Lewis, Town Clerk, called the roll.

**PRESENT**

- Mayor Newton
- Commissioner Carter
- Commissioner Hagle
- Commissioner Harker
- Commissioner Hollinshed
- Commissioner McDonald

**Agenda Approval**

Mayor Newton asked if there was a motion to approve the agenda.

Commissioner Hagle made a motion to approve the agenda.

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

The motion was approved unanimously.

**Public Comment**

There was none.

**Project Updates**

Greg Meshaw, Town Engineer, gave an update on current projects. He informed the group there were currently 15 active projects going on, those projects include:

- Cedar Street Park
- FY20 Street Rehabilitation & Construction
- Turner Street 100 Block Pedestrian Improvements
- Town Wide Sidewalks (Part 5-FY20 Street Rehabilitation & Construction)
- Downtown Parking
- Turner Street- Broad Street Traffic Calming Improvements
- Campen Road Waterline Extension/Upgrade
- USDA Funded Utility Project (Water, Sewer & Stormwater)
- Wastewater Asset Inventory Assessment
- High-Rate Infiltration System Permit Reacquisition
- ECHS Sewer Pumping Issue Investigation
- Wastewater Design Unit Flow Reduction Request
- PruittHealth Sewer Service Construction
- Meeting Street Drainage Improvements
- Fire Station No. 2 Renovation

Mr. Meshaw said the project they have finished since last month's update is the Stormwater Project. He noted that the big one was the USDA-Funded Utility Project and reported he will be meeting with the consultant the week of November 29<sup>th</sup> to discuss the design thus far, noting it would probably take multiple sessions. Mr. Meshaw said the ultimate goal is to have final plans ready for review by staff in March 2022.

Mr. Meshaw discussed the Campen Road Water Line Extension project and explained a contractor had put in a six-inch waterline from Carraway Drive down to the apartments on Campen Road. He said almost everything was complete, the remaining work included pavement patching, pressure testing, disinfection, and certification; they expect pressures and flows down around the apartment area to improve, particularly fire flow.

Mr. Meshaw discussed the Wastewater Design Unit Flow Reduction Request. He said the ultimate intent was to get rates that are reflective of what the true wastewater usage in the Town of Beaufort is on a residential basis, as well as commercial and heavy commercial industrial if possible. Mr. Meshaw explained all of this would help when it comes to allocating capacity out to folks, because they will be allocating out flows that are more reflective of what they think they will actually be doing, rather than the regulatory rates. They wouldn't be using the conservative rates that quickly build up in terms of total allocation that have been committed to various entities around town. Mr. Meshaw reminded the group that in the October update, he reported they assembled WWTP flowmeter calibration records; documented past infiltration and inflow studies, and corrective actions; and compiled daily WWTP influent flow records from 2018 to present. He said since the October update, they had determined the number of sewer customers on a month-by-month basis as well as residential vs. non-residential; with that, it was discovered they needed to do a deeper dive into the building records, in hopes that individual usage data on heavy commercial/industrial accounts can be examined closer. Mr. Meshaw said all of this would lead to design flow rate determinations, there will be more than one, and once they anticipate formalizing a request to NC Department of Environmental Quality to let the us use rates than are more reflective of what is going on in Town.

Mr. Meshaw briefly discussed the Lennoxville Road Pond project, reminding the group of the bank stabilization that was done in July 2020. He explained there was a pipe that goes through the old railroad bed, and at the top of that railroad bed was a sinkhole, indicating that the joints of the pipe had separated, and it was sucking in dirt. He reported that the pipe had been replaced and the project will be considered complete, provided they get a ground cover on the berm. Mr. Meshaw said the Town administered the project, but it is being funded by Blue Treasure, so we will be seeking reimbursement from them once billing from the contractor is received.

Mr. Meshaw gave updates on the Turner Street 100 Block Pedestrian Improvements and informed the group of the completed crosswalk that was recently installed. He said he envisioned that staff will be putting out some signs in the future to go along with the crosswalk; the Turner Street traffic project will be complete once the bump-out at Middle Lane is done, and all the crosswalks are marked there. He said they are still working with the contractor to get a final number on that and once it is done, they plan to go forward with getting all the pedestrian improvements complete, certainly before the new tourist season starts. Mr. Meshaw spoke on downtown parking, he reminded the board they requested staff look at parking in the downtown area. He

discussed the pavement markings and how they are sized according to what the ordinance calls for, which is 22-foot-long spaces. He said they have been remarking spaces along 100, 200 and even 300 blocks between Cedar and Front Street, Moore Street and Live Oak Street. He said the project is nearly complete, there is a punch list that provides more details; there are a number of places they tried to paint, and cars were parked there, so they have to come back for that. There are a few markings that are sort of squiggly, so they are going to come back and rework those; there have been a few requests from citizens relative to some things the Town was unaware of regarding their property, that will result in adjustment of very few spaces. Mr. Meshaw suggested that overall, the project is nearly complete.

Mr. Meshaw also notified the group that staff had set up four-way stops at Pine-Pollock and Mulberry-Pollock intersections. He said another project staff has been doing is marking crosswalks throughout Town; to date, staff has repainted 46 crosswalks and 10 stop bars. He said they would continue doing this as weather permits and as the paint holds out. Mr. Meshaw concluded his presentation and asked if there were any questions.

Mayor Newton complimented Greg on the presentation and went down the roster to see if there were any questions or comments.

Commissioner Carter said it looks like they have been working hard; she asked if it was a possibility to extend the diagonal parking along Front Street out beyond Live Oak Street.

Mr. Meshaw said he was drawing a blank.

Commissioner Carter said past Marsh Street, down to Live Oak, there is parking on the south side where they took out part of the median and actually put parking spaces there. She said she did not know if it could be extended any further down on Front Street, is there enough land to do it? She said it was a thought for additional parking.

John Day, Town Manager, said they could certainly check see what the property and right away looks like there.

Commissioner Carter said they are always looking for an extra parking place.

Commissioner Hagle said it would be controversial.

Commissioner Carter said when they extended it past the Wheatly house, it was controversial.

Commissioner Hagle said I am sure it was.

Commissioner Harker thanked Greg for a great presentation and said it seemed like each time he reported, he was able to say the word "complete" more often, which was a great thing. She said recently walking up and down Turner Street, the raised crosswalk presented concern at night. She said there are a few people who said they were unable to see it. She asked if there was any way to put some form of reflective paint to notify someone it is there, because at night they are still going over them pretty quickly.

Mr. Meshaw said yes, we could put something on the asphalt; if you have been on Pine Street at Marsh Street, where we redid a crosswalk, there is a new paint scheme with some arrows. He said they could put some reflective arrows at the base of the concrete, to let people know they are about to approach an incline.

Commissioner Harker said especially at night, during the day I think they might be able to see the signs; she said she walks that area at night and vehicles have been flying over it, catching air. She said thank you for the stop signs at Pollock, Pine and Marsh; there have been people speeding through the area, digging up asphalt they were going so fast. She said there are kids who play in that neighborhood, and it was a good safety measure to add the stop signs. Commissioner Harker also commended the great work with sidewalks, she said it looked really nice and thanked staff for what they have done from Campen down to the Speedway area.

Mr. Meshaw said they were still progressing along; if you have been on Campen headed towards the library, we are not finished there yet; we have done one section of that sidewalk and right after the Sinclair Motors car lot, we are going to do another run of raised sidewalk on down onto the next drive and then we are going to do

some markings down at the other end. He said he did not want people to think they were done there because we do not want it to look like we turn people out into that parking lot, road area. Mr. Meshaw said their contractor is coming back to that and he is looking forward to getting that done.

Commissioner Harker said it makes the whole corner look neat and being able to go around and walk down on Highway 70 is a great addition.

Commissioner McDonald said he was pleased with what he is seeing happen all over Town; in every community there is work being completed and he really appreciated that.

Mr. Meshaw said it comes from all of us...it is the board, who had visions for these projects; the Town Manager and a lot of staff that is involved in accomplishing these things, so my hat is off to everyone, myself too.

Commissioner Hollinshed said she did like the crosswalk that is on the lower end of Turner and suggested that marking it would be a good idea for bringing it to everyone's attention.

Mr. Meshaw said I would encourage you to look at the markings at 3<sup>rd</sup> Street and the one we did recently at Pine, so you can see the arrows I am talking about.

Commissioner Hollinshed said she saw them.

Commissioner Hagle said good report and great progress, particularly on the USDA and the Wastewater Flow Reduction work. He said that would be very important for the Town in the future, and it is great to see the progress on that and all the other projects. He reported that he had a call from one person regarding the parking spaces on Pollock; they were concerned about the loss of parking spaces, people who used to have room for two spaces now only have one.

Mr. Meshaw said that person did reach out to him; the marking was based upon the Town's standard of 22 feet and then we brought to the board some recommendations, in terms of setbacks for driveway entrances so they would have vision of the street. He said we did go out and look at it and I think what we are going to do, after seeing the old tick marks, is paint one long box there and not subdivide it into small spaces. The individual homeowner is not partially worried about sight distance; so, one of the lines will probably end up scrubbed out and then moved closer to the driveway and marked that way.

Commissioner Hagle said thank you very much, that sounds like a great plan. He also added that the traffic light at Cedar and Live Oak needs to be adjusted; people are sitting there so long they are running the red lights. He said it is still setup for lots of traffic to turn right, west on Cedar, like it was before the bridge change. He said during most periods of the day there is not much traffic at that intersection and people are getting impatient with the wait, resulting in them running the traffic light all the time.

Mr. Day said he would get with DOT about that.

Commissioner Hagle said it could almost be a four way stop.

Mayor Newton said thank you and moved on to the items for discussion and consideration.

**Items for Discussion and Consideration**

- 1. COVID Numbers in Carteret County and Emergency Leave Policy Extension

Mayor Newton reported from last Friday to date, there was an increase from 72 to 88 cases. He said the hospitalization rate had decreased from two down to one and the positively rate increased from 3.7% to 4.3%; while the county is maintaining 55% fully vaccinated.

Mayor Newton said let's go down the roster to see if you want to continue the current policy with in-person meetings and also with the emergency leave policy extension.

Commissioner Carter said she thought they had previously discussed stopping this as of December 1<sup>st</sup>; people that are going to get vaccinated have been vaccinated. She said I think we need to eliminate the extension of the COVID Leave Policy completely; and not even have a COVID Leave Policy.

Mayor Newton said he would caution you doing that, because there is supposed to be another increase in cases because of the holidays; timing similar to what happened last year, maybe not the same magnitude but they are still forecasting an increase based on the holidays.

Commissioner Carter asked if there were many people taking advantage of this.

Mr. Day said fortunately, among those who have been vaccinated, we haven't had any people who have needed to as far as I know. He said again, one of the points of this was to encourage people to get vaccinated; I don't know if that has happened or not, but certainly having it available has been advantageous. He added we do not want to do anything to discourage people from getting vaccinated.

Commissioner Carter said absolutely not, if we are going to keep it in place, by all means, it needs to be for those vaccinated.

Commissioner Harker said I think you have a two-part question; do we want to look at meeting in person, that is part one. I think with the stabilization of the rates, especially the rate of transmission, we are far better than where we started. I think we should really start exploring looking at meeting in-person. I think we are still waiting for some of the hybrid equipment to come in for those who do not feel comfortable attending in-person meetings, they would still be able to participate. I think if we did it in December, I don't see the participation being too huge; I don't see too many people flooding the Train Depot for an in-person meeting, but I am okay with that. I think it is time, but we will see how others feel. As far as the emergency leave policy extension, if we can just keep that in place for one more month at least, we can see how it plays out over the holidays.

Mr. Day said he just received confirmation from the HR Manager, that there has been one person who has experienced a breakthrough case and did use the leave.

Commissioner McDonald said keep it in place at least for the next 30 days or so, until after the holidays.

Mayor Newton reminded the group that the current policy that the board has approved is to wait for in-person until after the hybrid equipment has been received, expected to be in towards the end of December. He asked Commissioner McDonald if he was okay with that.

Commissioner McDonald said yes.

Commissioner Hollinshed said yes, I will go along with that, keep the policy in place and take a look and see if that equipment will be there and installed. She said, I agree with you Mayor, we are probably going to look at some breakthrough and spreaders over the next 30 days.

Commissioner Hagle said keep the emergency paid sick leave extension in place and he hoped to get the hybrid equipment installed as quickly as possible after it is received. He asked Mr. Day if he had heard anymore on delivery.

Mr. Day said he had not heard anything but is pretty confident as soon as it is delivered, they will be in touch as they are being billed for it and will want their money.

Commissioner Hagle asked if Mr. Day had any kind of idea what type of installation it would be, complicated or fairly quickly?

Mr. Day said it is less than a day job.

Commissioner Hagle said it sounded like if they could get it done in early January at the latest, they would be able to go back to in-person meetings.

2. Minutes- May & July 2021 Meetings

Rachel Johnson, Parks & Events/PIO/Deputy Clerk, asked the board to please consider approval of the budget meetings on May 17<sup>th</sup>, 20<sup>th</sup> and 26<sup>th</sup>; the May 24<sup>th</sup> work session; the July 12<sup>th</sup> regular meeting, and July 21<sup>st</sup> Special Meeting. She reported there are still five sets of minutes they are working to catch up on, but there is progress being made.

Mayor Newton confirmed Ms. Johnson was asking for approval for the May and July meeting minutes this evening.

Ms. Johnson said yes, that would be wonderful, then they could officially be posted and updated.

Mayor Newton asked the Commissioners if they had enough opportunity to take a look at those?

Commissioner Hagle made a motion to approve the minutes.

Mayor Newton said the motion has been made to approve, is there any discussion? If not, let's go down the roster for a vote.

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

The motion passed unanimously.

3. Minutes - October 25 & November 8, 2021

Ms. Lewis presented the most recent minutes, from the October 25<sup>th</sup> work session and the November 8<sup>th</sup> regular meeting and asked that both be placed on the consent agenda.

Mayor Newton said let's make sure we have consensus from the board on consent.

The board agreed unanimously to place the meeting minutes under the consent agenda.

4. Pay and Classification Study

Mr. Day explained soon after hiring Barbara Cooper, Human Resources Manager, the Town contracted with the North Carolina League of Municipalities (NCLM) to conduct a Pay and Classification Study, they will also be preparing an updated Human Resources Policy Manual. The Pay and Classification Study performed by the MAPS Group in association with the NCLM, is complete and ready for adoption. The policy manual will be completed at a later date and presented to the Board for its consideration and adoption then. All town employees in the Local Government Employees Retirement System (i.e., those who work as least 1000 hours per year) completed job questionnaires, and at least one employee with each different set of duties as described in the questionnaires was interviewed on-site, regardless of job titles. Mr. Day explained there was not a position classification plan, so this was a very important part of the process. Salaries from nine municipalities of similar characteristics, and/or in Beaufort's job market, were surveyed. After comparison and analysis, Beaufort's job classifications were allocated to a salary schedule, and an implementation plan was prepared. The study implementation will also take steps to address salary compression resulting from previous compensation practices. The annual implementation cost is \$174,664, plus benefits. Implementation is recommended in January, 2022, and a budget amendment for \$108,758 is attached to fund the total implementation cost through the end of the fiscal year.

Mr. Day welcomed Becky Veazey, President of The MAPS Group. He asked that the board consider adopting this now, for the same kind of reasons of continuity that they have heard before. The new board coming in will of course not really be familiar with this and three of them will have had no local government experience, so I ask if you would, please consider this tonight.

Ms. Veazey presented her findings and recommendations related to the study. She described the results through the documents referenced in the agenda meeting packet. She explained that pay and classification studies are like looking at two sides of the coin. The classification side is looking at what the duties of a job are, whereas the pay side tries to place each job into a competitive salary range. She informed the group that she has been in HR and local government for over 40 years, and she had never seen the market as tight and competitive as it is right now. She explained how the 2019 pay study was a good step and got the Town closer in terms of competition, but when it was implemented, it was implemented by bringing most employees to the very beginning part of the salary range. This meant that long term employees and newer employees were very close together; that is what we call compression. She explained that compression can create some dissatisfaction and make it hard to hire people who are really well qualified because you might need to place them at or above your own long-term fix. She said spreading employees back out across the salary range is part of what they are trying to address in the study. She said, as John mentioned, there is more to come; the contract includes the materials before the board now as well as a new Personnel Policy, Benefits Comparison, Management Recommendations, and new job descriptions. She explained that the Town's compression analysis was not horrible but was something that needed to be addressed. She explained

the organizational charts they recommended for the Town and spoke on the report summary section that was listed by each department and how they make recommendations on salary grades for each job. She shared the organizations they surveyed and the pay ranges they had; the average of all those ranges was 53% and the range they recommend for the Town of Beaufort is 55%; she added that the pay grades are 5% a part. She also discussed implementation and explained the pay table; she paused her presentation to see if there were any questions so far.

Mayor Newton went down the roster to see if there were any questions.

Commissioner Carter had no questions.

Commissioner Harker had no questions.

Commissioner McDonald said he had some questions but didn't want to confuse himself. He said he is hoping this pay plan is based upon what Beaufort needs, not compared in depth with other communities, because they may be in a position to do more or less. He said what we need to do is what we can do for our employees to keep them here; we have been a training ground for so long, in every department, that is because we have always been one of the underdogs in paying. We have had some very educated, professional people come through the Town of Beaufort to work and we lost them to other departments because we weren't paying. He said we need to do what is best for Beaufort, comparison should be based on needs of Beaufort, more so than surrounding areas and what they are doing. He explained Beaufort is a very quaint, unique, and delightfully different town. He said we should treat our employees the same way, we should treat them like they are a pot of gold to us; pay raises and things of that nature. He said, we have someone in office now that I think will help promote it and that is Ms. Cooper. I think she will help push those things forward and let the employees know what is best for them. He said we must do our jobs as Commissioners; we can't just sit back and not pay our employees because we will lose them again and be right back on the bottom on the totem pole, and we have been there too long, that is all I have to say.

Commissioner Hollinshed had no questions.

Commissioner Hagle said he had some questions, but we can debate those later.

Ms. Veazey continued with her presentation and discussed the current market. She explained in July, 2022 most of the same places they surveyed will be increasing their ranges and it will be important for Beaufort to look at that again as well. She said Mr. Day mentioned he has already built in the cost of benefits in his budget amendment. She discussed the recommendation of the Town Manager having flexibility to withhold any adjustments for employees with documented disciplinary action and are not performing as needed in the position. She explained how the classification implementation adjustments are sometimes referred to as "catch ups", not raises because you are catching people up to where they should be already. She added if somebody is not doing their job, they recommend their "catch up" be delayed until their performance improves. She said so again, what we're recommending is taking each employee into the pay grade, that rate reflects the market for their job, to at least minimum, and then one and a half percent per year of service, above that minimum, to address compression. She concluded her presentation and said the classification and pay plan, recommended pay grade, and the recommended salary for each job title is essentially what they would be adopting.

Mayor Newton asked if there were any questions.

Commissioner Carter said she had no questions.

Commissioner Harker said she was glad they were able to get the job classification done and liked the fact they were able to eliminate the compression, which is very detrimental to many organizations, as it is not fair for somebody to come in making a similar salary and not have worked as long. She asked how often this needed to be reviewed, in Ms. Veazey's opinion.

Ms. Veazey said the rule of thumb for stable organizations is every five years, and that is both the classification and pay side. She explained it was very depended on how much growth and change was going on within the organization.

Commissioner Harker brought up the process of notifying staff of the job descriptions and commented they looked more in-depth. She asked how different they were from what staff was doing now or was it cleaning it up some.

Ms. Veazey said she had not written the job descriptions yet, that was something she still owned them, and the descriptions were typically two to three pages, mostly two pages. She said there were a number of title changes and there would be substantial differences in what they were writing, to reflect more modern times in terms of technology and skill requirements. She said these would also be really helpful in writing recruitment ads and selecting interview questions, it will be a much more accurate guide for HR.

Mr. Day added currently there really were no job descriptions, he said there might be a few, but suggested they were incomplete and not particularly accurate. He said as you all probably know, in local government we all do very similar things; so, when you are going through a process like this you can know by looking at these job descriptions that have been filled out and how they fit into what the normal sorts of categories, making it fairly easy to do the job titles. This allows you to begin to survey and perform adjustments, but the actual tweaking of these descriptions to fit a specific organization takes a little bit of time. He added that there is always some sort of uniqueness into how the job is setup or designed and suggested Ms. Veazey is really starting from scratch on developing the ones we will have here.

Commissioner Harker asked if any of the job classification would end up changing the pay scale of a person?

Ms. Veazey said what you are getting is a completely new pay scale. She said they are recommending a pay plan that reflects the current jobs that you have, up to date titles for those jobs, and is meeting the current competitive market.

Commissioner McDonald said at this point he has no questions and said it was a touchy situation to him. He also said, I think our greatest commodity is our employees; we should not have anyone working for us that is on welfare, if we do then shame on us. He said those are the types of things we should be looking at; we look at paying our top people a lot of money but the people who do the hard work, we don't look at, resulting into costly turnover. He said let's do what is best for Beaufort to keep our employees.

Mayor Newton said I think, if you recall, Commissioner McDonald, a couple years ago, we went through this iteration. Not as deep as what Becky's providing today, but to give

competitive wages, and to set a \$15 minimum wage, and that is exactly in line with what you're talking about as far as taking care of our employees; this is just kind of now next level identification, job descriptions and pay scales.

Commissioner McDonald said you are exactly right Mayor, but you have to stop and think now, when that was done Hardee's and Burger King were not starting people out at \$15 an hour.

Commissioner Hollinshed said I understand a little bit about what she's doing, and some of it, I am trying to grasp the comparative models that were used. I am also looking or thinking about the other side, you can describe it over here and do everything you want to, but it seems like we haven't had much of a problem on recruiting people. I know John Day has come to us from time to time and said he would like to go to the top level of a range or something and then justify why he would like to do that, and I don't think that's been denied. I would like to also point out that I'm looking at the outcome of the work rather than the titles; it doesn't really matter about your title, I want to make sure that the outcome of what they are describing that they should be doing is good work and that it does help the town. She said, that is where I am with this and who is paying for it? When we did our last increase, we had that long session in budget where we put another tax penny or two in order to get to that point; so, who is paying?

Mayor Newton said that is probably a good question for John; what is the cost of this and what is this going to do to our budget?

Mr. Day responded, as I said earlier, the cost for six months I believe was \$109,000; so double that for an entire year. He said this is an instance where the conservative budgeting that has been done allows for this to happen without any additional impact; I don't see that there are any issues, no tax increase that is going to be necessary. He said one of the things that we had done, and budgeting conservatively is to make sure that what we see are trends and not anomalies; I think what we're seeing now is in fact a trend. He said when you looked at the financials, you saw our sales tax revenues are still up considerably and above what was collected last year, and our budget numbers are much more conservative than that. So, there is no need to make any revenue adjustments for this, the only adjustments that would need to be made is just appropriating what is already there; what has come in but hasn't been budgeted.

Commissioner Hollinshed asked what about next year, and the year after that?

Mr. Day replied, like I said, I think what we are seeing is a trend rather than an anomaly, and that trend allows for it to happen. He said I am not expecting for these revenues to decline; of course, that can always happen depending on what the global and national economy turns out to be, but at least at this point, there is no indication that there is a concern to have about this.

Commissioner Carter said question here too...If we are looking at salary increases, but we do not have the positions written out, don't you think we need to wait until we have the positions all written out before we start applying a salary? She added at this time, we might be all over the place; this might be something to leave for the new board and the new manager because it is going to affect his budget.

Mr. Day said I think Becky can probably address this, but what I was trying to convey earlier is that there has been sufficient work done already to answer that question. Becky, do you want to just pick up from there?

Ms. Veazey said in the report narrative that you saw was basically a paragraph on each different job, that captures the essence of those jobs really boiled down. She said what I will be doing with the job descriptions is just expanding that some, and you will actually have those, if this goes into effect in January.

Commissioner Carter said we have a new manager coming in, and he will be coming in around January, since this is rather a complex process, my suggestion is we need to leave it for him because he is the one that is going to have to deal with it.

Mr. Day said I think I can speak for that, at least to some extent, being a manager and having been one for a pretty long time. He said I think that the manager will be grateful it has already been done by the time he gets here; I would say I am about 99% sure that would be the case.

Commissioner Hagle asked for clarification on the employee range chart and the note and the bottom that discussed making an adjustment that is either greater than 1.5% or a year of the average total service and positions service. He suggested that some people would not see an adjustment, and some would and asked if his interpretation was correct.

Ms. Veazey said that is correct, what that is looking at is the catch up; some of the employees are much closer to where they should be, others are much further away. She said what this is doing is bringing everybody closer to where they should be.

Commissioner Hagle asked if the histogram included all positions and if the percentage are percentages above the mid-range.

Ms. Veazey said they were above the beginning; so, that zero there in the very first left-hand column is hiring range and then the next one says 5% and that is the minimum that references probation completion. She said the next one you see would be 10% into the hiring; mid-point would be between 25-30% and you don't have very many people at all above mid-point.

Commissioner Hagle said two-page job descriptions seem very complex; he said in his former life, they did not try to define down to the nitty gritty of what people did, there was a certain range of activities that someone did, and you want those people to expand beyond that if they possibly can to benefit their organization. He said there are so many boxes in this system, it seems like fewer categories would be spreading more of a higher range that would give people a chance to grow in a job versus putting up so many boxes. He said the title should be across the organization, regardless of which department they were in, making it more consistent. He asked if that would be true, could that happen?

Ms. Veazey said the job descriptions were not intended to be limiting in any way. She said a good third to half of what is on the job description are recruitment guidelines. For example, what knowledge, skills and abilities should the town be looking for if they have to fill the position; what education and experience; what certifications are needed to do the job. She said all of this becomes really helpful for the hiring process and it also can help if the Town decides to update the performance evaluation system, because it is helping identify what

those knowledge, skills, and abilities are that you want to be assessing as part of the employee's performance.

Commissioner Hagle said that knowledge skills and ability are important, I agree, but some person that is working at a mechanical type of job or some job in public works is no different than somebody doing a similar kind of mechanical work in another department; it seems like the titles should be the same and the skill range should be similar.

Ms. Veazey said their bottom-line principle is that we are trying to help the Town of Beaufort create equal pay for equal work; if you have employees that are operating at the same skill level, similar kinds of duties (not significantly different) than we have recommended putting them into the same pay grade.

Commissioner Hagle said there are a lot of job classifications, 25 or 30.

Ms. Veazey said that is not unusual.

Commissioner Hagle said I guess my experience is different; you are sort of putting people in a box and not giving them a chance to grow and develop.

Ms. Veazey said we are very careful not to do that in these.

Commissioner Hagle said that the job titles on the organizational charts are different for every department, and I know in Police and Fire that might be different, but it seems like we use some real special titles for jobs that are very similar in nature where you could call them the same job title.

Ms. Veazey said I think if we do that, it would be doing the employees a disservice because there are different kinds of skills and responsibility and I think people deserve to be recognized for what they are actually doing.

Commissioner Hagle said that somebody who does mechanical work in Public Works is doing the same kind of mechanical work in Public Utilities.

Mr. Day said actually those are very different and the market typically reflects that in the payment is because basically, doing mechanical work in utilities is kind of like plumbing and you have people that are doing plumbing except on a really big scale. He said the folks in Public Works do not have those skills, the skills they have in many cases has to do more with maintenance of roads and what we do in house is pretty minor with that; so, there are some considerable differences.

Commissioner Hagle said I guess I am coming from a different position where we help people; if there is a piping problem, we have someone who could make that repair if it didn't require a master plumber for example, versus waiting for somebody to come that has that title and skill.

Mr. Day said given that it is a public water and sewer system, we want to have people who are familiar, experienced, confident, and competent at what they are doing.

Commissioner Hagle said they can learn that.

Mr. Day said we have people that advance from one position to another. He said there have been several instances since I have been here, where people have gone from Public Works to a higher-level more skilled position in utilities as a way of advancement and that is another aspect of this that I think is important to consider. Also, one of the things that is kind of interesting here is that we are a small organization, but we do essentially the same services that a large city does and so what happens in a large city is that 2,000 or 3,000 are divided across these basically same job classes, and it looks a lot different because we are small; we do the same jobs, it is just a matter of scale.

Commissioner Hagle said I understand, I just came from an organization where if somebody was doing an operational kind of job and you had a mechanical problem and they had the skill and training to do it, they did, rather than waiting for a mechanic to come make the repair.

Mr. Day said we also have extensive certifications for this type of work; many go through the School of Government and there are different levels of training received; anyway, it is differences in industry I suppose.

Commissioner Hagle said it is.

Commissioner McDonald said he would like to remind the board that it has not been too long ago where they were looking for someone to come in and do some work; they were lucky enough to find someone to come in and do the job high class and we are not paying any benefits. He said you cannot do that with every department, we were just lucky in that incidence. He said we have to the right thing by our employees, and this should not be a long debate; we should be just as much concerned about our employees as we are about the infrastructure that is going on.

Mayor Newton said thank you; John has asked that we look at approving the pay plan and the budget amendment, what is the pleasure of the board?

Commissioner Carter said she recommended they delay and let the new manager and the new board handle it.

Mayor Newton asked if that was a motion.

Commissioner Carter said, yes sir.

Mayor Newton said the motion has been made, let's go down the roster for a vote.

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

Mayor Newton said Commissioner Carter's motion fails.

Commissioner Harker made a motion to approve the plan and budget amendment.

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

The motion passed with a 3-2 vote.

5. Lions Club Bridge Run 2022

Ms. Johnson presented the application submitted by David Daly regarding the 2022 Lions Club Bridge Run on November 5, 2022; she explained they are seeking the boards consideration and approval of the event.

Mayor Newton asked if there were any questions.

Commissioner Carter had no questions.

Commissioner Harker had no questions.

Commissioner McDonald no questions.

Commissioner Hollinshed had no questions.

Commissioner Hagle asked if the start and finish line were at Middle Lane or Front Street.

Ms. Johnson said the start and finish line is technically Front and Turner, but where they will gather prior to the start is Middle Lane, so it will be closed off. She said the First Citizens Bank used to be where everybody gathered and that is no longer an option, so Middle Lane is what they are asking to use.

Commissioner Hagle asked if there would be a single lane across the bridge

Ms. Johnson said yes.

Commissioner Hagle asked if traffic would be on the other side.

Ms. Johnson said that is correct and they always bring in an outside organization that helps cone off everything prior to the start, it is very professionally ran.

Commissioner Hagle asked if there were any safety issues.

Ms. Johnson said no and this was their third year and everything has gone very smoothly, without incident.

Commissioner Hagle said that is the biggest concern here, the potential for a safety incident on the bridge.

Mayor Newton asked if there was consensus to put it on the consent agenda.

The board agreed unanimously to place the item under the consent agenda.

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

Kyle Garner, Planning Director, presented the request and asked that the case be placed as a public hearing item. He said it was a rezoning request and it was at the recommendation of the Town attorneys as well, to clean up a housekeeping item from years ago.

Mayor Newton went down the roster to see if there were any questions.

Commissioner Carter had no questions but confirmed that the Planning Board recommended this as well.

Mr. Garner said they did, unanimously.

Commissioner Harker had no questions.

Commissioner McDonald had no questions.

Commissioner Hollinshed had no questions.

Commissioner Hagle had no questions.

The board agreed unanimously to set the public hearing.

7. Delinquent Utility Accounts

Mr. Day explained early in the Pandemic an executive order was enacted prohibiting utility disconnections for non-payment. This order has expired, but Beaufort, like nearly all local governments, continued to honor it. Currently there are 120 accounts that are about \$99,000 past due. American Recovery Plan Act (ARPA) funds may be used to alleviate all or part of the past due amounts, if the board so desires; also, the Town has great flexibility in structuring payment plans for past due accounts. We are asking you all consider this and provide the staff with some direction, as to whether you want to continue the current “non-disconnection” policy and whether to use ARPA funds to mitigate delinquencies.

Mayor Newton asked if there were any questions.

Commissioner Carter said this is something that has really irritated me, I recommend we stop doing it immediately and start re-enforcing collections and also setup policies. She said I understand there are business in here; how come? She said it had never gone on this long, we were told about it months ago and it was just recently that we finally got some information on it. She said her recommendation was that the Town immediately implement a collection policy with each individual, it will take some time to do that, and that we no longer allow people to go unlimited time without paying a bill, unless they have made some arrangements with the Town; this is just not a way to do business.

Commissioner Harker said it appears that the past due amount took places during the period of COVID, correct?

Mr. Day said it does not appear that there were any businesses involved.

Commissioner Carter commented that the list sent said four businesses.

Mr. Day said he did not have it in front of him.

Commissioner Harker said the delinquency occurred during the time of COVID, they just never collected on that.

Commissioner Carter said no attempt has been made to collect, evidently.

Mr. Day said there was a notice that went out to people, asking them to consider calling the Town to make payment arrangements, but there has not been much response to that.

Commissioner Harker asked if they were still getting past due bills.

Mr. Day said it shows up on the bill as past due, yes.

Commissioner Harker said we should probably start implementing something where we collect these; I understand that during COVID time frame people are still playing catch up. We often talk about how many people are still out of their homes from Florence. This is not necessarily the Town's money that we are using to correct this situation. It does give us an opportunity to use the funds for our citizens, and we have heard this before, if it could help them out and catch us up, but no longer continue with that, I would like to look at that as an option.

Commissioner McDonald said he certainly thought they should start collecting those past due accounts; however, he did not think it needed to start immediately. He said maybe they should notify the people after the holidays. He said if we could inform them that we are going to start collecting at that point, and we could forcefully do so, I would certainly recommend that; I don't see pressing the issue in the next 45 days.

Commissioner Hollinshed said she tended to agree with Commissioner McDonald, we need to come up with a policy, no more carrying of past due accounts; in other words, do not continue this policy. She said if somebody is still in dire straits, they need to come in and explain their situation, but there should be a policy in place to collect the past dues; even if it is as we do on those taxes that we see every session, where somebody pays three or four dollars a month until it gets paid off. She added, I believe when they started their accounts, they had to put a deposit down, so it could be that some of that deposit could be used, just throwing out a suggestion.

Commissioner Hagle agreed they needed to start some type of collection process that is fair and give enough notice for people to know that we are going to start that. He said he did not know about the use of the recovery funds, there would have to be some sort of fair way to do that.

Mayor Newton said the economic data from this past year far exceeds the data from the 2018-2019 timeframe. Carteret County and Beaufort, we are booming. We are very fortunate to be in the position that we are in right now; but what that does is it masks those people that are really struggling right now; struggling from Florence, struggling from Dorian and now the pandemic has made the gap wider and deeper, and to me this is exactly what

the American Rescue Plan should be doing, helping people that are really struggling. John, what do the mechanics of this look like?

Commissioner Hagle said, what about people who did not pay their bills before the pandemic, do we give them grace too?

Commissioner Carter said they are included now and people that are just deadbeats are included and a lot of people, I suspect there are people that are in trouble, but they have the right to call the Town and set up a plan. The Town should be considerate of that, but if you forgive gross abuse of a situation, you are creating a dependency that you will never overcome; it is just not good business.

Mayor Newton said, I take exception to your term, deadbeat; people are struggling.

Commissioner Harker said, I take great exception to that as well.

Commissioner Carter replied, I understand that, and there are a few is what I said.

Commissioner Harker said there are more than a few that are out there, although you may not look at that; you have people that you are asking to put on a payment plan for things that are almost a year old. That is going to put a major struggle on them; I guarantee if they could have, they would have paid for them. Once again, this is not our money that we are trying to negotiate, it is not coming out of our budget. There are a lot of families here, a lot of children and when you put them behind, even five dollars extra a month on a bill that would take almost a year for them to catch up on, and continue to pay for that service, you have to think about that. Just because, as the Mayor said, it looks like the economy is looking good, but even those four businesses that we have; we have had businesses all around the nation close for many reasons. If they happen to survive, great, but there are families out there that are connected to this more than you can imagine. So, I really applaud that you would kind of think heavily about that, and there are those individuals that are going to give the whole thing a bad record, but you don't want to sacrifice the good for those that are not doing well, and I think that is exactly what you would do if you do not consider this.

Commissioner Carter said remember that there were those not doing well before and we still enforced the cut off plan, and the other thing is, when they are not paying their water bill are they not paying their trash pickup? We are paying that, and that is coming from taxpayers, and money that is not coming into the sewer department is also money that is going to ultimately come from taxpayers or from people that are paying the utility bills. You have got to think about fairness all the way around, and nobody wants to put a burden on anybody that is in bad shape, but we didn't think about it before, and we still did it.

Commissioner Harker said we did not have this many numbers of individuals before, everybody knew what the playing field was; there was no unusual circumstances, there were no loss of jobs, or having to work three or four jobs. The numbers did not warrant us to have this conversation two years ago.

Commissioner Carter said CP&L stopped it a year ago, they stopped it a considerable time ago; so, we don't know what the status of our people are but when you have a business, and I did here, I think one of the numbers that was given to us on a business was \$8,000; now a business that ran that kind of bill up needs to be questioned. We made no effort to talk to them and say can you pay us? Are you having a problem? We do not know who is

really having a problem and who is saying, well they are not going to collect, so I am just not going to pay; we do not know.

Mayor Newton asked if the consensus of the board was to put this on the discussion and consideration for the December meeting, and to have options available, or do you want to start collecting? Is that what I am hearing, Commissioner Carter?

Commissioner Carter replied, the first thing I'd say is stop doing it and the next thing is I would put it on the new board coming in and let them make a decision on this.

Commissioner Hagle said he would like to suggest both aspects of the Mayor's comments; I think we need to see if payment plans can begin and come back with some options on the use of this money for those impacted by the pandemic. I think we need to be fair and this money is available, but it is not free money, it may not be the Town's money but it is taxpayers money of our country. I would like to see if there is a fair and equitable way to use some of the funds to help those in need, but we need guidance in the plan.

Mr. Day said there have been instances where application processes have been developed for similar sorts of uses. I know in Durham, there is a rent assistance program that was developed using ARPA money for those who are in need, and so certainly something similar to that can be developed for the for this purpose as well.

Commissioner Carter said that is a good idea.

Commissioner Harker said I think that we should really look hard at enforcing the policy, if you are going to be late. We definitely need to take a look at how we can help out those individuals, although we don't know who they are, it does not make a difference. I think we have an opportunity to use money in order to help our citizens get back into a whole position and start there. This is very limited use for the ARPA money and if we could use that to help our citizens, then I think we should, but if we want to leave it up to the next board then I am fine with that as well.

Commissioner McDonald said I think that we should put something in place to collect the fees by notification of those people who are in the red and make it effective after January 1, 2022.

Commissioner Hollinshed said, I tend to agree with some components of that; to do it across the board, it is not fair to make sacrificial payments during this period to keep their water running. She said it wouldn't be rocket science, I don't believe, to come up with a plan that could be equitable to recoup some of this money, because it is Town citizen's money. She added that the charges were never answered about solid waste, was that forgiven? Was the whole bill forgiven, or just the water and sewer part?

Mr. Day said none of it had been forgiven and that he was just informed by the finance director that the people who were delinquent on utilities were also delinquent on their solid waste charges as well.

Commissioner Carter said we had to pay those, the Town did, correct?

Mr. Day said that the Town pays for the collection and disposal fees.

Commissioner Carter said that is coming from taxpayers, for sure.

Mr. Day said if there is not enough in the fee revenue to pay it, yeah.

Commissioner Hagle said he would like to recommend what Mr. Day said, try and develop some sort of practice to help people in some mechanism, by developing some kind of application process.

Mayor Newton said, the consensus I am hearing is to put in on the discussion and consideration for the December board meeting.

Commissioner Hollinshed added, and maybe give some options.

8. Organizational Meeting

A motion was made by Commissioner Hagle to set the organizational meeting for Monday, December 6, 2021 at 6:00 p.m.

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

The motion passed unanimously.

9. Financial Notes

Christi Wood, Finance Director, discussed the October Financial report and said she would be happy to answer any questions.

Commissioner Carter had no questions.

Commissioner Harker had no questions.

Commissioner McDonald had no questions.

Commissioner Hollinshed had no questions.

Commissioner Hagle said he noticed that the Fire Department's workman's comp was fairly high and asked if that was a onetime event?

Ms. Wood said, yes sir, we pay that at the beginning of the year.

Commissioner Hagle said it was notable that the revenue for Building and Inspections was at 54%, and we are not even halfway through the year, so that is great. He added there must be a run-on cemetery lots, as it is at 150% revenue.

10. Resignation of Commissioner Harker

Commissioner Harker shared her letter of resignation that read:

I write to formally submit my resignation from my appointment as a commissioner with the Town of Beaufort, NC. My last day will be Monday, November 22, 2021. It has been a tremendous honor to work with my fellow commissioners as we served the citizens of

Beaufort. I look forward to continuing to serve our town as the Mayor of Beaufort once sworn in.

Kindest Regards,

Sharon Harker

Mayor Newton accepted the letter of resignation and commented on Ms. Harker’s great track record as a commissioner.

11. Appointment to Vacant Commissioner Seat

Mayor Newton said there are different options available, I have seen applications in other communities, but it seems to me the best way to do this would appoint the next person with the most votes in the recent election.

Commissioner Carter said I agree with you, since it is so close to the election, I think we should really follow the will of the people and appoint the person with the next highest number of votes.

Commissioner McDonald said he would go along with the flow, however I was hoping I would have the opportunity to share this great time with Commissioner Harker. I have worked with her so long prior to becoming a Commissioner and you know, it is a bittersweet situation for me; I wish her the best, she is very capable of doing the job as Mayor and the Town of Beaufort will move forward.

Commissioner Hollinshed said yes, I agree.

Commissioner Hagle agreed to follow what the citizens said.

Mayor Newton asked if there was a motion to designate Bob Terwilliger to replace Commissioner Harker.

Commissioner Hagle made the motion.

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

**Mayor/Commissioner Comments**

Commissioner Carter said it has been a pleasure and I have enjoyed working with all of you, so thank you very much.

Commissioner McDonald said he echoed what Commissioner Carter said... I have certainly enjoyed being a Beaufort Commissioner and serving the good citizens of Beaufort throughout all my adult life, not only as a Commissioner, but also as Chief of Police. I have really enjoyed the opportunity.

Commissioner Hollinshed said, my vote tonight regarding the pay scale is not to say our valued staff is not deserving; I do have questions about the methodology and the towns selected for comparison. I also have a question about the fact that we are only seeing half of the policy, and that was the reason for my hesitation and voting in opposition.

Commissioner Hagle said I would like to thank Commissioner Carter and Commissioner McDonald, it has been a great honor and pleasure to serve with you for several years, and I will miss you both. We all come with different perspectives; every time I hear a commissioner talk, it causes me to think and sometimes have a different perspective and that is what this is all about. I really do appreciate it and it has been an honor to serve with you, and the same thing goes with you, Mr. Mayor, it has been a pleasure to be with you too, thank you for all of your great leadership. Also, congratulations to soon to be Mayor Sharon Harker, I know you are going to do well. It is an honor to continue to work with you and do well serving the citizens of Beaufort. I would like to thank Elizabeth Lewis, for completing the minutes from our last two minutes; that means we are up to date with our current minutes, and I hope that we can continue that trend. I would also like to thank Rachel and others for all the hard working catching up on the delinquent meeting minutes. I wish you all the best of holidays and be safe while you are out traveling, remember this is one of the busiest highway traffic times of the year; stay alert, focus on your driving and avoid the hazards of the highway.

Mayor Newton read the following:

Despite the challenges of hurricanes and a pandemic, our Board of Commissioners and extraordinary Town Staff professionals have worked very hard to provide stability for our wonderful community. We have invested in our town, have cleaned up our waterways, are fixing above- and belowground infrastructure, are building and improving parks, and we now have a five-year plan that provides immense stability for Beaufort. As I've often stated, Beaufort is not great because of our government...our town government just provides the stability for greatness to occur. The true greatness of Beaufort is due to our amazing coastal ecosystem and our citizens, businesses, non-profits, civic groups, museum, research institutes, schools, and churches. We thank Commissioners Ann Carter and Charles McDonald for their decades of service as they depart the Board of Commissioners. They have made difficult decisions and are leaving Beaufort in far better shape than they found it when first elected. With the current stability of the town, the hiring of new town manager Todd Clarke, the installation of Mayor-elect Sharon Harker, Commissioner-elect Melvin Cooper, Commissioner-elect Charles Oliver, and Commissioner-designate Bob Terwilliger, the future of Beaufort is very bright! The new board members all bring extraordinary skill sets to their leadership roles and will serve our town well. And while we've made extraordinary progress over the last four years, there are still significant challenges ahead for the new board to consider to include resilience measures to protect our community from the effects of climate change, and complex land use and harbor management planning. These topics are critical for the continued health and prosperity of Beaufort. The unprecedented success of Beaufort today is not by chance. Prior to my tenure as mayor, my predecessor and all of the current commissioners hired John Day as the Beaufort Town Manager. Once I was elected, it was crystal clear to me that John has vast experience, extraordinary vision, proven leadership skills, and unquestioned integrity. John has never sought the limelight but on a daily basis he has patiently analyzed our critical challenges, responded to numerous crises, and he has strived for incremental progress that, over his five-year tenure as manager, has culminated in the amazing community we have today. This success can be measured objectively and felt subjectively... people want to work here, live here, and play here. John is retiring over the next few months but he leaves a spectacular legacy in our town, and he clearly represents the very best of Beaufort.

**Closed Session**

1. Personnel

Mayor Newton asked for a motion to go into closed session, in accordance with North Carolina General Statute 143-318.11

Commissioner Hagle made a motion to go into closed session to discuss a personnel matter.

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

**Adjourn**

Commissioner Hagle made a motion to extend an offer to Todd Clark, for the Town Manager position, with the terms discussed in closed session and to delegate authority to the current Town Manager and Town Attorneys,

to finalize an employee agreement with Mr. Clark; and finally, to authorize the Mayor and the Town Clerk to execute and deliver an employee agreement with Mr. Clark once finalized.

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

The motion passed unanimously.

Commissioner Hollinshed made a motion to adjourn the meeting.

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

The motion passed unanimously and the meeting was adjourned at 5:55 p.m.

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Mayor, Sharon Harker

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Town Clerk, Elizabeth Lewis



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners Regular Meeting  
6:00 PM Monday, January 10, 2022  
Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** Items of Consent  
**SUBJECT:** 806 Cedar St Mixed Use - Site Plan

**BRIEF SUMMARY:**

Mr. Vic Fasolino has submitted a site plan for a Mixed-Use project for 806 Cedar Street. This project was original approved in December 2019 and was good for a period of 18 months (Expired in July 2021). Now Mr. Fasolino is resubmitting the same exact plan for re-approval for another 18 month period. This will still be the first new project developed in the Cedar Street – Mixed Use District if constructed within the new 18 month timeline.

**REQUESTED ACTION:**

Approval of site plan.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Kyle Garner, AICP  
Planning & Inspections Director

**BUDGET AMENDMENT REQUIRED:**

N/A

# STAFF REPORT



**To:** Mayor & Board of Commissioners  
**From:** Kyle Garner, AICP, Town Planner  
**Date:** December 14, 2021  
**Project** 806 Cedar Street – Mixed Use Project

**THE QUESTION:** To recommend approval or denial to the Board of Commissioners for the Mixed-Use project for 806 Cedar Street site plan that expired in July 2021.

**BACKGROUND:** This site currently is a vacant lot and will be the first to apply the new zoning standards of the Cedar Street Overlay District. It was originally approved in December of 2019 by the Board of Commissioners with an expiration of 18 months if work had not begun. (July 2021)

Location:	806 Cedar Street
Owners:	Sound Shore Construction (Vic Fasolino)
Requested Action:	To recommend approval or denial to the Board of Commissioners
Existing Zoning	CS-MU (Cedar Street Mixed-Use)
Pin #:	730618306414000
Size:	.176 acres (7,700 sq. ft.)
Amount of Open Space:	N/A
Existing Land Use:	Vacant Lot

**PUBLIC UTILITIES & WORKS:**

Water:	Town of Beaufort
Sanitary Sewer:	Town of Beaufort

- OPTIONS:**
1. Recommend approval of the Site Plan.
  2. Recommend approval of the Site Plan with conditions.
  3. Recommend denial of the Site Plan based on specific failures to meet requirements of the LDO

- ATTACHMENTS:**
1. Vicinity & Zoning Map
  2. Aerial Map
  3. Site Plans

**Staff Comments:**

As stated earlier this project was approved in December of 2019 right before the beginning of the pandemic. At that time the only issue to be resolved that was discussed at the Commissioners Meeting was for the applicant to work out an agreement with the adjacent property owner so that they would have ingress/egress to the rear of 808 Cedar. Per the applicant that issue has now been resolved and the request for a site plan extension/re-approval is being requested for another 18 month period.

This site plan was reviewed and approved by the Town’s Technical Review Committee in 2019 and since the plans have not changed, still support the proposed mixed-use project.

**Project Information:**

This mixed-use project is permitted by right in Cedar Street Mixed Use District. The Cedar Street Mixed Use District does have specific design criteria which must be applied to Mixed Use & Commercial projects which the applicant has addressed as follows:

- Exterior Siding Material – *The Site Plan identifies that the exterior building material shall be fiber cement which is an approved material per Section 8-D-5-e of the LDO.*
- Outside Walls - Section 8-D-5-f of the LDO allows for a “total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five percent (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. *The Site Plan identifies that the ratio of glazed to total area = 32% which meets the requirement of being less than 35%.*
- Roof Forms – Section 8-D-5-g “The dominant shape of the roof shall be gabled, hipped or parapet.” *The Site Plan identifies that the roof as a parapet on the front and a hipped on the sides and rear.*
- Parking – A parking table is provided below providing a clearer picture of what is required and provided.

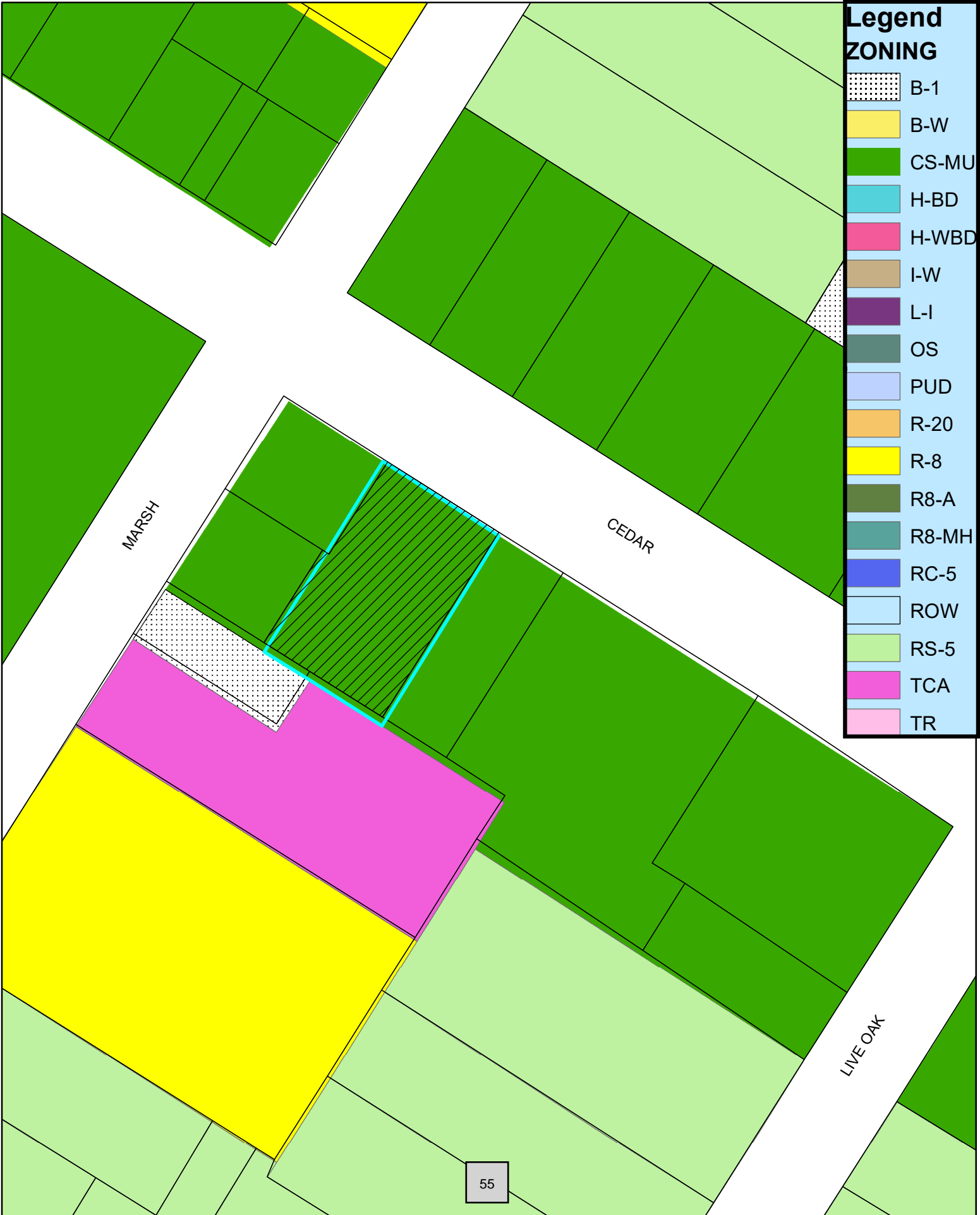
PARKING TABLE	Required Spaces	Provided Spaces
Mixed Use *	3	6

\*Mixed Use shall provide 1.5 onsite parking spaces/unit. There are two (2) residential units so a total of three (3) spaces are required.

**Conclusion:**

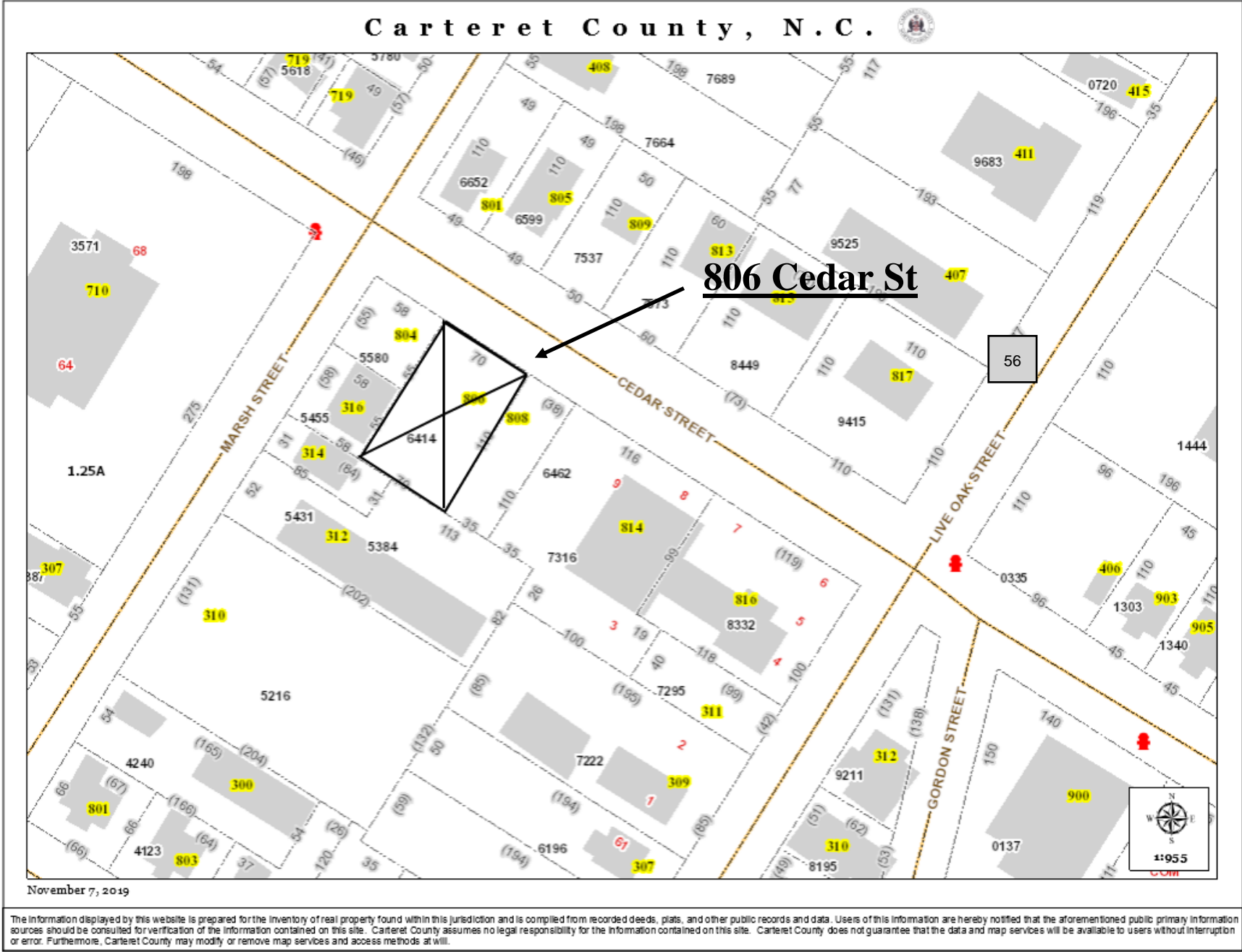
This project meets the design criteria required in the LDO for mixed use projects in the Cedar Street Overlay District and staff recommends approval.

Vicinity & Zoning Map - Case 22-01 -806 Cedar Street  
Site Plan Approval Extension - Mixed Use



Legend	
ZONING	
	B-1
	B-W
	CS-MU
	H-BD
	H-WBD
	I-W
	L-I
	OS
	PUD
	R-20
	R-8
	R8-A
	R8-MH
	RC-5
	ROW
	RS-5
	TCA
	TR

**806 Cedar St**  
**Proposed 4-Unit Mixed Use Building**  
 Sound Shore Construction, 1913 Front St., Beaufort, NC 28516, 252-269-3415  
 Tax Pin# 730618306414000 Vacant Lot, Area 7700 sq ft  
 Current Zoning- CS-MU  
 Proposed Two-story Building, Total Area- 4606 sq ft  
First Floor, 2303 sq ft, 2- B-1 Business Units, 1151 sq ft each  
Second Floor, 2303 sq ft, 2 R-3 Residential Units, 1151 sq ft each  
 Ownership Type: 4 units under single ownership



**VICINITY MAP**



NC GRID MVD 1983 (2011)

MARSH STREET 50 FT PUBLIC RIW

MAIL IN THE SIDEWALK AT THE RIW  
INTERSECTION OF MARSH AND CEDAR  
STREETS N:360614.9834 NC GRID  
E:2703659.3624 NC GRID

FASOLINO, VICTOR P

MCDONALD, PHEON ROYCHELLA

CAPANNA, PALOMA

7700.00 SQ. FT.  
0.18 ACRES

FRED JACKSON  
REF. DB 124 PG 329

CEDAR STREET 60 FT PUBLIC RIW



**SURVEYORS CERTIFICATION**

I, JAMES I. PHILLIPS III, CERTIFY THAT THIS PLAT WAS DRAWN BY ME (X), DRAWN UNDER MY SUPERVISION ( ), FROM AN ACTUAL SURVEY MADE BY ME (X), MADE UNDER MY SUPERVISION ( ), THAT THE RATIO OF PRECISION AS CALCULATED BY COORDINATE METHOD IS 1:10,000+; REGISTRATION NUMBER, AND SEAL THIS 1<sup>ST</sup> DAY OF NOVEMBER, A.D. 2019.

JAMES I. PHILLIPS III RLS NO. 1-3151

\*THIS IS AN EXISTING PARCEL OF LAND\*



57

- LEGEND**
- EIP-EXISTING IRON PIPE
  - ER-EXISTING IRON ROD
  - ECM-EXISTING CONCRETE MONUMENT
  - EA-EXISTING AXLE
  - EM-EXISTING MAIL
  - EPK-EXISTING PK NAIL
  - POINT-NOTHING EXISTING OR SET
  - NCSS-NORTH CAROLINA GEODETIC SURVEY
  - NCS-NATIONAL GEODETIC SURVEY
  - RWM-MONHACDOT MONUMENT
  - SIP-SET IRON PIPE
  - SIR-SET IRON PIPE
  - SCM-SET CONCRETE MONUMENT
  - EA-SET AXLE
  - SN-SET NAIL
  - SPK-SET PK NAIL
  - OP-OVERHEAD POWER
  - NOT HELD-NOT CONSIDERED PART OF SURVEY
  - NHNL-NORMAL HIGH WATER LINE
  - AEC-AREA OF ENVIRONMENTAL CONCERN
  - NAVD-NORTH AMERICAN VERTICAL DATUM
  - MAD-NORTH AMERICAN HORIZONTAL DATUM
  - PP-POWER POLE
  - UT-UNDERGROUND TELEPHONE
  - UP-UNDERGROUND POWER
  - UWL-UNDERGROUND WATER
  - DL-DRILL HOLE

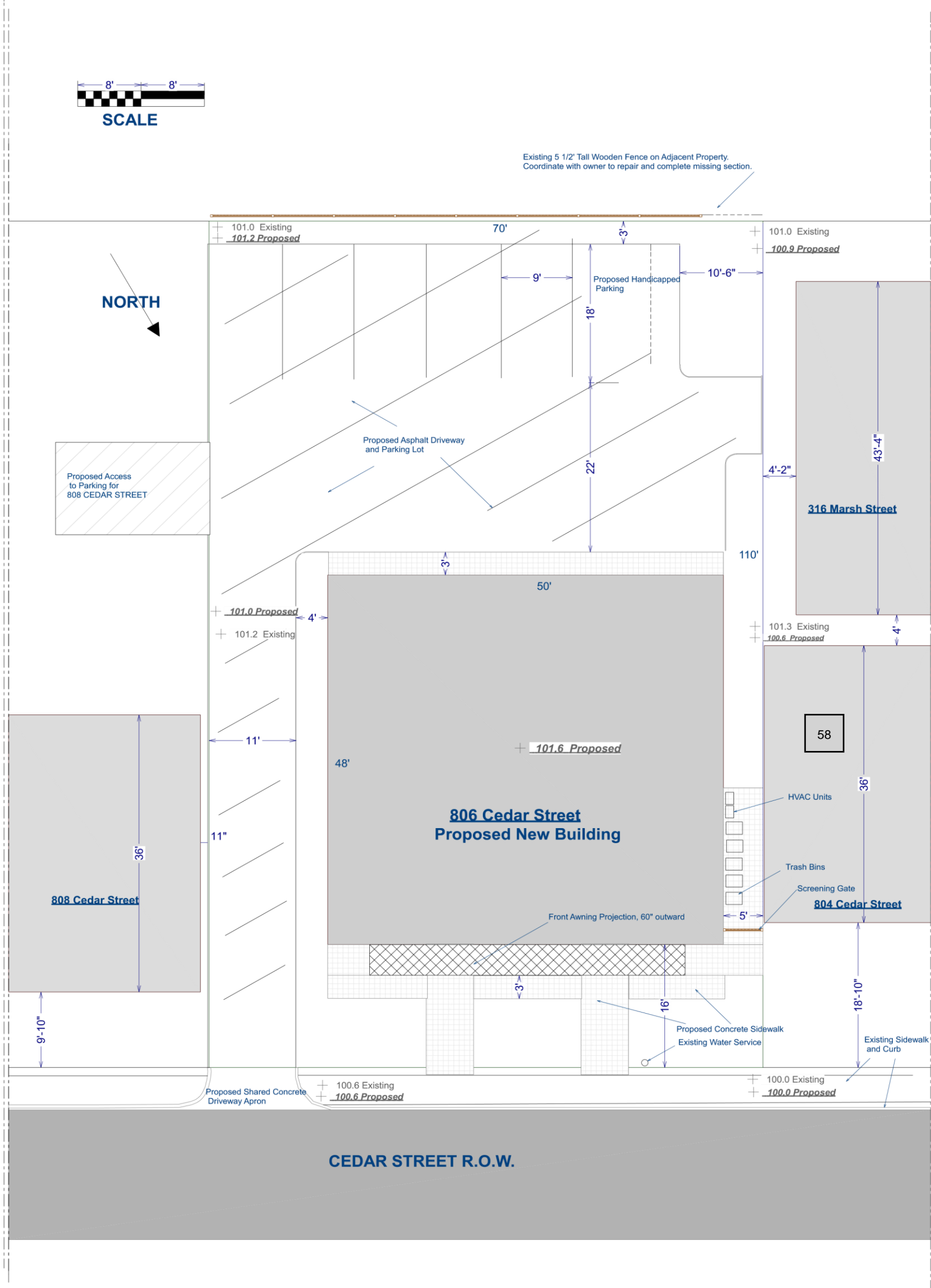
**BOUNDARY RETRACEMENT**  
**VICTOR P. FASOLINO**  
806 CEDAR ST  
TOWN OF BEAUFORT, BEAUFORT TOWNSHIP  
CARTERET COUNTY, N.C.  
SCALE 1"=30'

PRESENT OWNER: SAME		REVISIONS	
DEED REF: BOOK PAGE 1575/282 MAP REF: BOOK PAGE NONE PIN: 730618306414000 SHEET: 1 OF 1 JOB #: 19-145			
DATE OF FIELD SURVEY: 10-31-2019		DATE OF MAPPING: 11-1-2019	
SURVEY BY: JIP	DRAWN BY: JIP	CHECKED BY: JIP	
<b>JAMES I. PHILLIPS LAND SURVEYING</b> PO BOX 2103, 379 Arrington Rd., Beaufort, N.C. 28516 252-728-5848 phone    jip3@coastalnet.com			

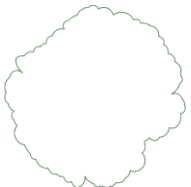





111111

# 806 Cedar Street- Proposed New Mixed Use Building

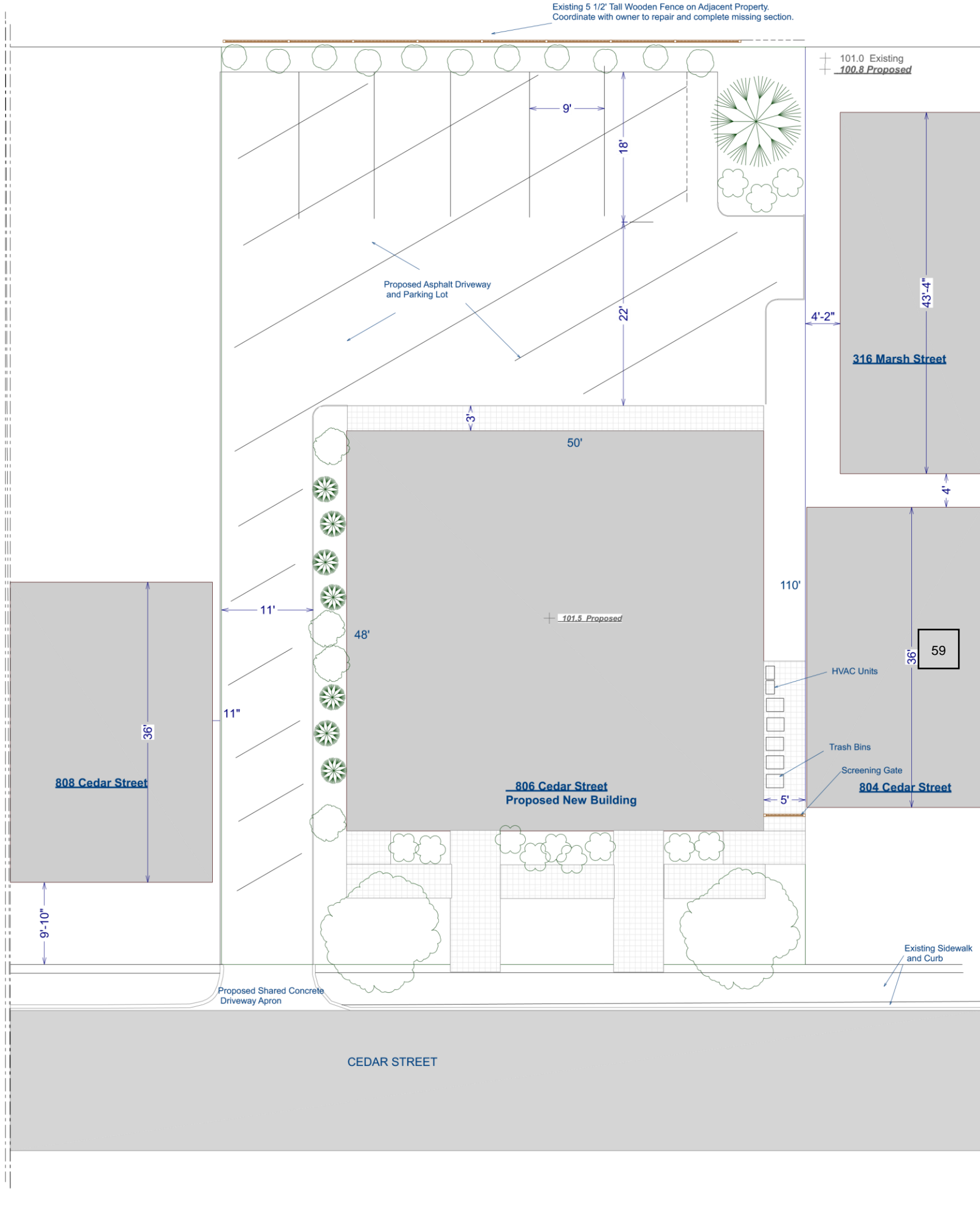
Parking: Section 8, C), 6), i)- Mixed use: 1.5 spaces per unit; 1.5x4=6  
 Signage: 2 signs, mounted of lower frieze board, not to exceed 28 sq ft each  
 Exterior Building Material shall be fiber cement siding, painted  
 Front Fascade Area=1100 Sq Ft, Front glazed area=351 sq ft  
 Ratio of glazed to total area= 32%  
 All other exterior walls shall have less than 15% glazed area  
 Roof- "Parapet" front / hip roof, sides and rear  
 Driveway area: 3287 sq ft, Building roof Area: 2499 sq ft, Concrete walkway are: 386 sq ft  
 Nearest Fire Hydrant: 140' at corner of Marsh and Cedar Sts



**SITE PLAN**

Plant Legend	
	<b>Crepe Myrtle</b> 1 1/2"-2" DBH
	<b>Tree Holly</b> 1"-1 1/2" DBH
	<b>Euonymus</b> 24"-30"
	<b>Azalea</b> 24"-30"
	<b>"Knock Out" Rose</b> 18"-24"
	<b>Needlepoint Holly</b> 18"-24"

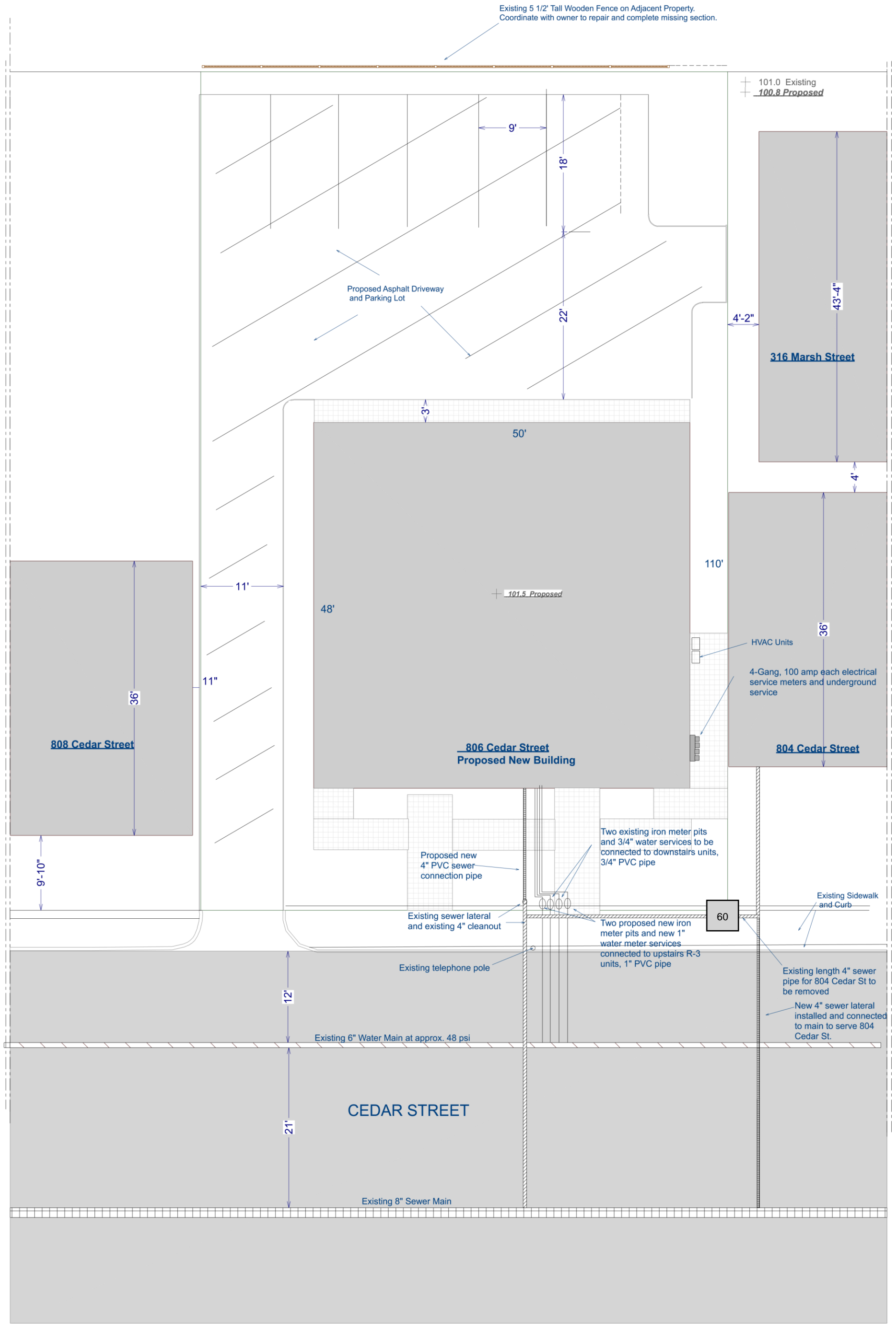
Existing 5 1/2' Tall Wooden Fence on Adjacent Property.  
Coordinate with owner to repair and complete missing section.



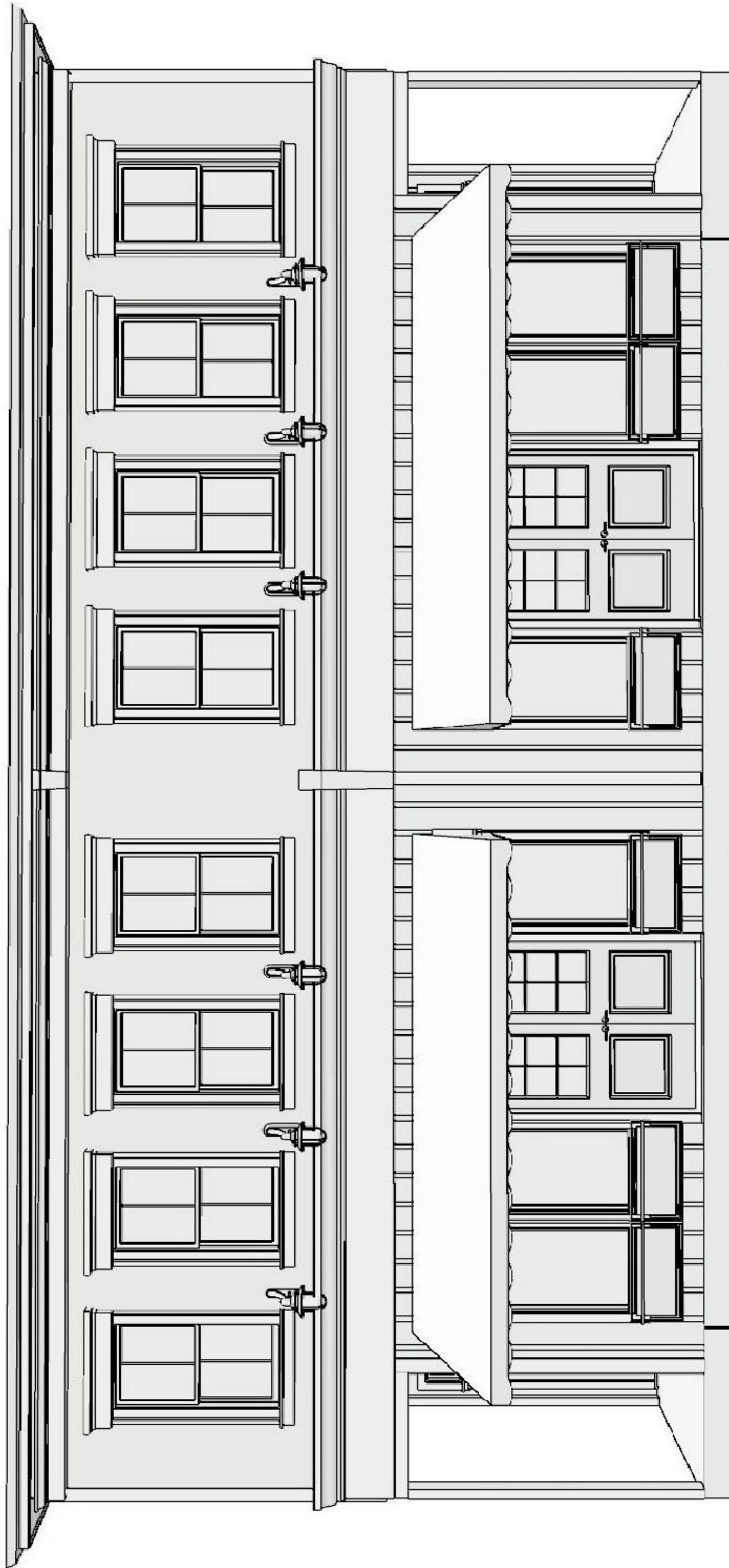
**LANDSCAPE PLAN**

Existing 5 1/2' Tall Wooden Fence on Adjacent Property.  
Coordinate with owner to repair and complete missing section.

101.0 Existing  
**100.8 Proposed**



**UTILITY PLAN**



61

**FRONT FASCADA**



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners Regular Meeting  
Virtual Meeting  
6:00 PM – Monday, January 10, 2022**

**AGENDA CATEGORY:** Items for Discussion and Consideration  
**SUBJECT:** Discussion on Emergency Leave Policy and Returning to In-Person Meetings

**BRIEF SUMMARY:**

**Returning to In-Person Meetings Check-In**

Currently, all Town Boards (elected and volunteer) are conducting meetings virtually via Zoom with the exception of the Beaufort Harbor and Waterways Master Plan Advisory Committee who has permission to meet under a hybrid model at the Beaufort Hotel. All meetings will continue to be open to the public and individuals may join in-person or virtually via Zoom.

The Board of Commissioners unanimously agreed that the virtual platform is the best meeting method until the hybrid equipment is delivered and installed at the Train Depot. This topic is set to be discussed and evaluated at each meeting.

**Emergency Paid Sick Leave Policy Extension Check-In**

At the November 22, 2021 Work Session Meeting, the BOC unanimously agreed to keep the policy in place until the end of the year. The policy has an expiration date of December 31, 2021 and is attached for reference.

**REQUESTED ACTION:**

Discussion of returning to in-person meetings and extension of emergency paid sick leave policy.

**EXPECTED LENGTH OF PRESENTATION:**

10 minutes

**SUBMITTED BY:**

Mayor Harker

**BUDGET AMENDMENT REQUIRED:**

No



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## Extended Emergency Paid Sick Leave Policy

### The Town of Extended Beaufort Emergency Paid Sick Leave

The Town of Beaufort Extended Emergency Paid Sick Leave (BEEPSL) is independent of and in addition to the Town’s existing sick leave policies. This policy is effective January 1, 2022.

The BEEPSL allows an eligible employee to qualify for emergency paid sick leave as follows:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by their healthcare provider to self-quarantine because they are infected with or have been exposed to COVID-19 or because they are at high risk of complications from COVID-19.
3. The employee is showing symptoms of COVID-19 and is actively seeking but has not yet received a medical diagnosis;
4. The employee is caring for immediate family (spouse, child, parent, brother, sister, “step”, “half”, or adopted relationships), subject to a federal, state, or local quarantine or isolation order related to COVID-19 or who has been advised by their healthcare provider to self-quarantine for COVID-19 related reasons;
5. The employee is caring for his or her son or daughter because the child’s school or childcare facility has been closed or the childcare provider is no longer available because of COVID-19 related reasons.

### Eligibility

All full-time employees who have been vaccinated against COVID-19 and have been employed with the Town for at least 30 days are eligible for BEEPSL in the event the employee is unable to work or telecommute because the employee meets one or more of the conditions stated above.

### Duration/Compensation

Vaccinated Full time employees are eligible for, on a one-time basis, or intermittently (if approved), a maximum of the following:



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- 80 hours of pay at their regular hourly rate of pay. However, when caring for a family member, for reasons 4 and 5 on page one, BEEPSL is paid at two-thirds the employee’s regular hourly rate of pay.

## General BEEPSL Rules

- Employees may elect to use BEEPSL prior to utilizing any accrued paid sick leave under the Town’s sick leave policy.
- Unused BEEPSL will be forfeited and will not be payable in the event of separation of employment.
- Employees are responsible for immediately notifying Human Resources of their intent to utilize this policy, so that the appropriate application paperwork may be given to the employee in a timely manner.
- Employees must successfully complete the necessary application paperwork and return it to Human Resources in a timely manner in order to receive compensation under this policy. Failure to return application paperwork and required supporting documentation in a timely manner may result in a delay in receiving compensation under this policy.
- Employees seeking compensation under this policy found to be fraudulently taking this leave will be subject to disciplinary action up to and including termination of employment.
- The Town will not retaliate against any employee who requests to take BEEPSL in accordance with this policy.
- This policy is effective through December 31, 2022 for vaccinated employees only.

## Definitions

### Child Care Provider Defined for the Purposes of BEEPSL

For the purpose of this policy, the term “child care provider” is defined as one who provides child care services on a regular basis and receives compensation for those services, including an ‘eligible child care provider’ as defined in Section 658P of the Child Care & Development Block Grant Act of 1990 (42 USC 9858n).

### School Defined for Purposes of BEEPSL

The term “school” means an ‘elementary school’ or ‘secondary school’ as such terms are defined in Section 8101 of the Elementary & Secondary Education Act of 1965 (20 USC 7801).



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners Regular Meeting  
Virtual Meeting  
6:00 PM – Monday, January 10, 2022**

**AGENDA CATEGORY:** Items for Discussion and Consideration  
**SUBJECT:** Appointment to Beaufort Harbor and Waterways Master Plan Advisory Committee

**REQUESTED ACTION:**  
Appointment to fill the BOC Ex Officio position previously held by Ann Carter.

**EXPECTED LENGTH OF PRESENTATION:**  
10 minutes

**SUBMITTED BY:**  
Elizabeth Lewis, Town Clerk

**BUDGET AMENDMENT REQUIRED:**  
No



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners Regular Meeting  
6:00 PM Monday, January 10, 2022  
Virtual Meeting via Zoom**

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**AGENDA CATEGORY:** Public Hearing  
**SUBJECT:** Rezone 2158 Live Oak Street totaling 0.579 acres from R-20 to B-1

**BRIEF SUMMARY:**

In February 2019 the Board of Commissioners rezoned the property surrounding this lot from R-20 to B-1 as well as amending the Land Use Plan Map to reflect Commercial Land Use. Since 2019 the surrounding owner has now acquired this .579 acre tract and wishes to rezone the property to be consistent with the surrounding and a Land Use Map Amendment to be congruous with the adjacent property.

At their November 15, 2021 the Planning Board unanimously recommended approval of the rezoning.

**REQUESTED ACTION:**

Conduct Public Hearing and make a decision on rezoning request

**EXPECTED LENGTH OF PRESENTATION:**

20 Minutes

**SUBMITTED BY:**

Kyle Garner, AICP  
Planning & Inspections Director

**BUDGET AMENDMENT REQUIRED:**

N/A



Attachment - A

# Staff Report

**To:** Board of Commissioners  
**From:** Kyle Garner, AICP

**Date:** 12/14/2021  
**Meeting Date:** 1/10/2022

## Case Number 21-26

### Summary of Request:

Rezone 2158 Live Oak Street totaling 0.579 acres from R-20 to B-1

### Background

#### Location(s) & PIN

731605191803000

#### Owners Applicant

Rosemyr Corporation  
The Cullipher Group

#### Current Zoning

R-20 Zoning

#### Lot(s) Size & Conformity Status

Conforming

#### Existing Land Use

Vacant – Single Family Residential

#### Adjoining Land Use & Zoning

**North** Vacant property zoned – B-1  
**South** Vacant property zoned – B-1  
**East** Vacant property zoned – B-1  
**West** Across Live Oak by single family zoned – R-20

#### Special Flood Hazard Area

Yes  No

#### Public Utilities

Water  
Sewer

Available  Not Available  
 Available  Not Available

#### Additional Information

See Staff Comments

#### Requested Action

Conduct Public Hearing for Discussion.  
Provide recommendation to the Board of Commissioners to:

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

**Staff Comments**

In February 2019 the Board of Commissioners rezoned the property surrounding this lot from R-20 to B-1 as well as amending the Land Use Plan Map to reflect Commercial Land Use. Since 2019 the surrounding owner has now acquired this .579 acre tract and wishes to rezone the property to be consistent with the surrounding and a Land Use Map Amendment to be congruous with the adjacent property.

At their November 15<sup>th</sup> meeting the Planning Board recommended approval of rezoning request and corresponding CAMA Map amendment.

***CAMA Core Land Use Plan***

Generally, growth and land development is anticipated to occur in all future land use categories except for the Conservation/Open Space classification. The type and density/intensity of projected development varies within each Future Land Use Map classification. Future Land Use projections are delineated in Figure 8, Future Land Use Map. The Future Land Use Map classifications are considered part of the Land Use Plan’s policy.

**Future Land Use Map Classifications**

**Residential Classifications**

**Low Density Residential.** The Low Density Residential classification encompasses approximately 3.19 square miles (2,041 acres) or about 43 percent of the total planning jurisdiction. The majority of the lands classified as Low Density Residential are located on primarily in the northern, northeastern, and eastern portions of the Town’s planning jurisdiction.

The Low Density Residential classification is intended to delineate lands where the predominant land use is low density detached residences. The residential density within this classification is generally 2 or less dwelling units per acre. Minimum lot sizes vary from 15,000 to 20,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Single family detached residences are the predominant types of dwellings within these areas. Manufactured homes on individual lots are also dwelling types found within this classification. Land uses within Low Density Residential-designated areas are generally compatible with the R-20 and R-15, Single-Family Residential zoning classifications. Public water service is widely available throughout the Low Density Residential-classified areas. Public sewer service is generally not available within this classification (*Core Land Use Plan*, Section IV: Plan for the Future, pg. 89).

**Commercial Classifications**

**General Commercial.** 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-W, Business Waterfront; and the TR, Transitional 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. (*Core Land Use Plan*, Section IV: Plan for the Future, pg. 92)

### **Use of the Future Land Use Plan Map to Guide Development**

In preparing the Future Land Use Map, consideration was given to land development objectives and policies, land suitability, and the ability to provide the infrastructure to support growth and development. The Future Land Use Map depicts the general location of projected patterns of future land uses. The Future Land Use Map is a plan or guideline for the future.

The ultimate use and development of a particular parcel of land will be determined by property owners’ desires, overall market conditions, implementation tools employed by the Town to regulate land use and development (such as the Town’s zoning ordinance, subdivision regulations, flood hazard regulations), the absence of specific natural constraints to development, and the availability of the necessary infrastructure (water, sewer, roads, etc.) to support development. Consequently, even though the Future Land Use Map may indicate a specific projected use in a particular location, many factors come into play to determine if the projected use is appropriate and the land can be developed as projected. Also, formal amendments to the zoning ordinance and subdivision ordinance will be required to specifically authorize the type of mixed use development envisioned in this Land Use Plan.

Achieving the projected patterns of land use indicated by the Future Land Use Map will be greatly impacted by timing. Much of the projected land use indicated on the Future Land Use Map will not come to fruition without market demand. Therefore, market and economic conditions must be conducive for growth and development. While the Land Use Plan attempts to provide a general expectation of growth based upon projected population change, it simply cannot predict the economic future. The demand for houses, businesses, industries, etc. will fluctuate widely with economic conditions.

The timing of the provision of infrastructure improvements, particularly water and sewer services and roads, will also have a tremendous impact on growth and development. Development will occur where infrastructure is available or can be made available to sustain that development. Consequently, achieving the Future Land Use Map land use projections will depend in large part upon if and when infrastructure is provided. The provision of public infrastructure depends upon the capability to provide the service and demand for the service. Economic climate will be a major factor in both the capability to make infrastructure available and the level of service demand (*Core Land Use Plan*, Section IV: Plan for the Future, pg. 100).

### **Guide for Land Use Decision Making**

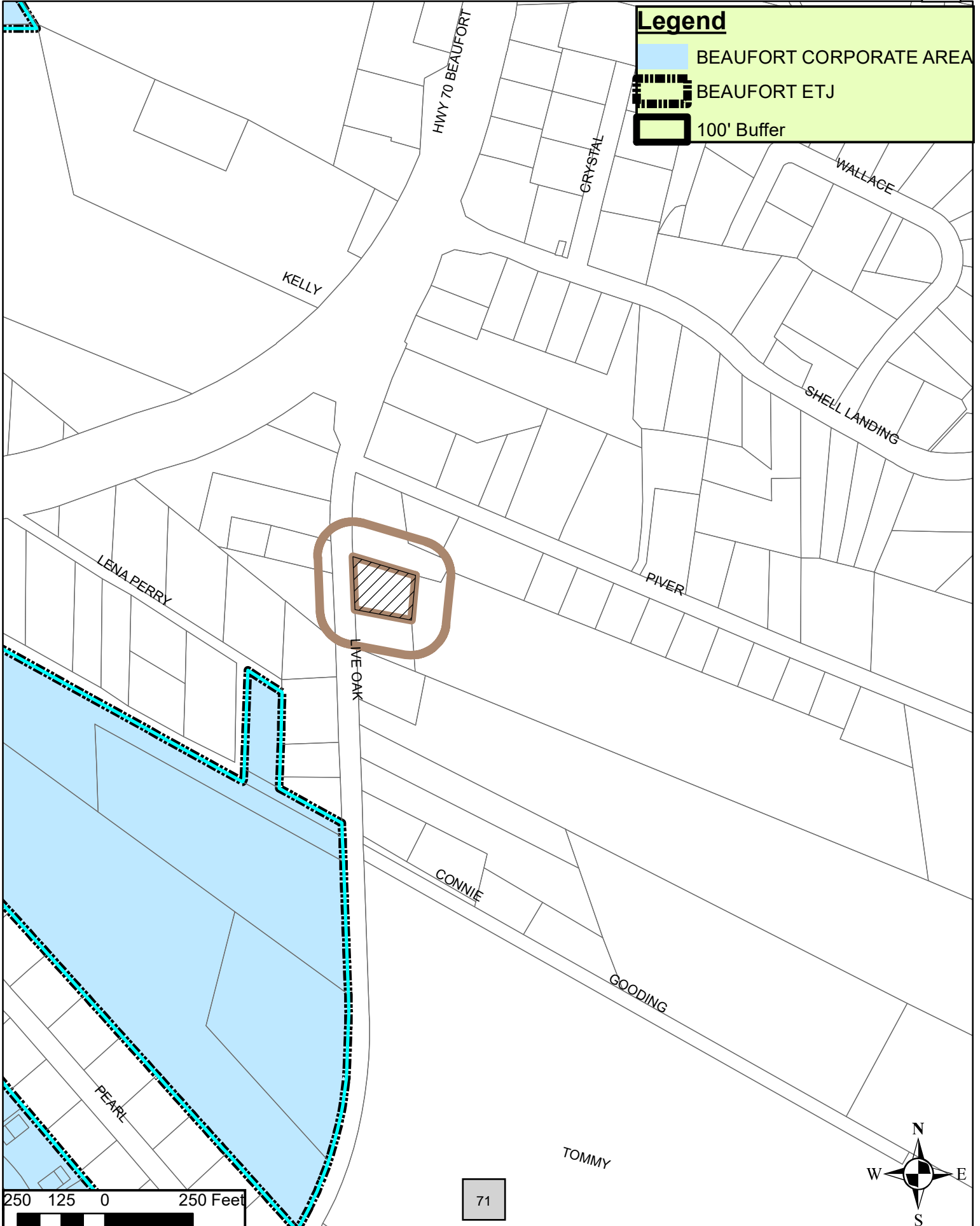
The Land Use Plan, as adopted by the elected officials of the Town of Beaufort and as may be amended from time to time, will serve as the primary guide upon which to make land use policy decisions. Every land use policy decision, such as a rezoning request or approval of a conditional or special use permit, will be measured for consistency with the goals, policies, and recommendations of the Plan. The elected officials, Planning Board, Board of Adjustment, and Town staff should utilize the Land Use Plan as the basic policy guide in the administration of the zoning ordinance, subdivision regulations, and other land development regulatory tools.

Persons involved in the land development business as well as the general public can also utilize the Land Use Plan to guide private decisions regarding land use and land development. The policy statements and recommendations of the Land Use Plan can also be of assistance to the elected officials in making long-range decisions regarding such matters as the provision of municipal services, thoroughfare planning, stormwater planning and management, implementation of economic development strategies, recreational facility planning, and preparation of capital and operating budgets.

It should be noted, however, that the Land Use Plan is one of a variety of guides in making a public policy decision. The Plan should be viewed as a tool to aid in decision making and not as the final decision (*Core Land Use Plan*, Section V: Tools for Managing Development, pg. 102).

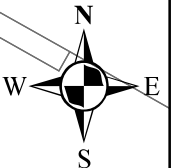
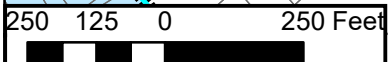
- Attachments:**
- Attachment B - Vicinity Map with 100' Notification Buffer
  - Attachment C – Current Zoning Map
  - Attachment D - CAMA Future Land Use Map
  - Attachment E - Owners Within 100'
  - Attachment F - Owners Application & Information
  - Attachment G - CAMA Consistency Statement
  - Attachment H - CAMA FLU Amendment Resolution

# Vicinity Map - Case 21-26 -2158 Live Oak Street Rezoning From R-20 to B-1

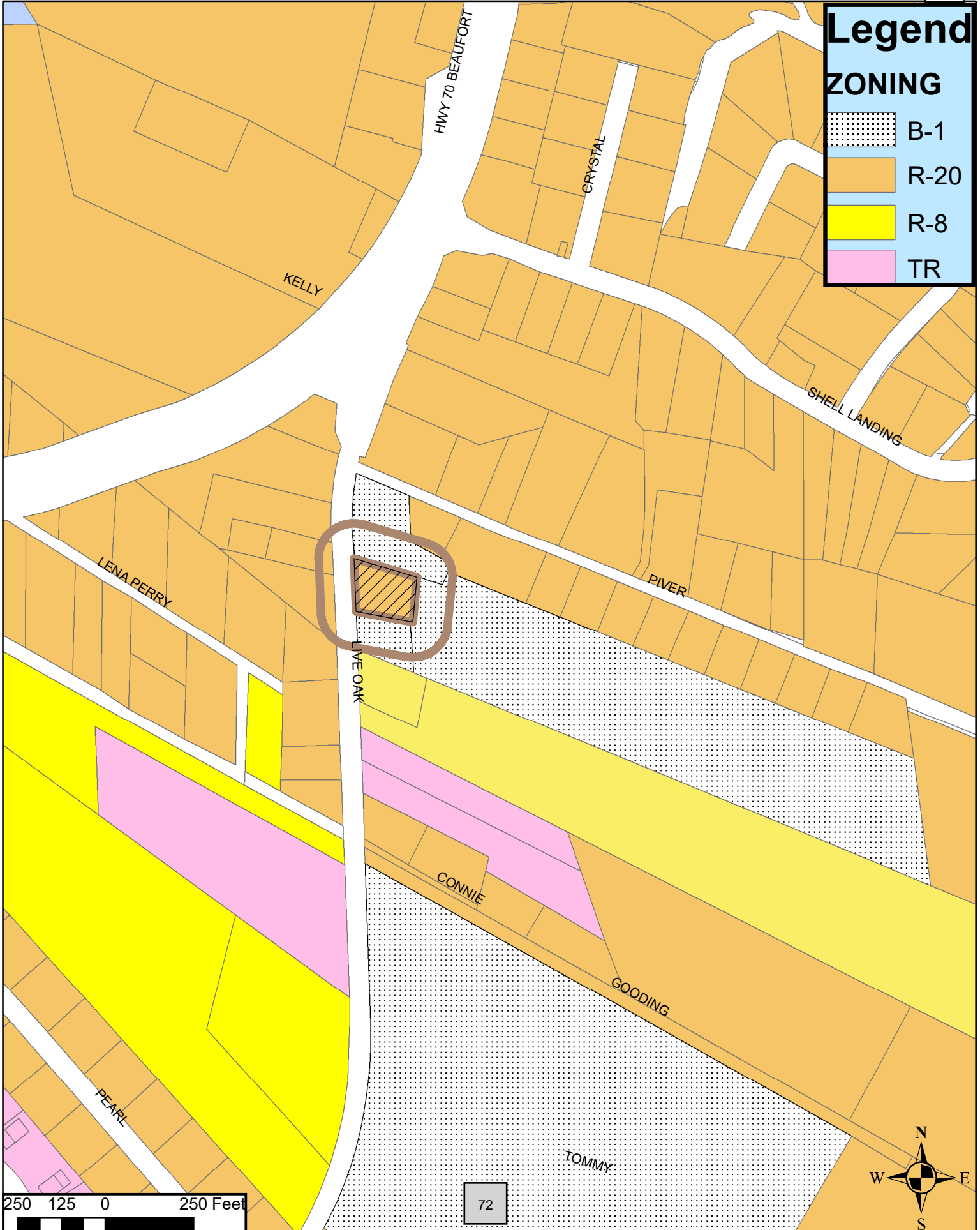


**Legend**

- BEAUFORT CORPORATE AREA
- BEAUFORT ETJ
- 100' Buffer



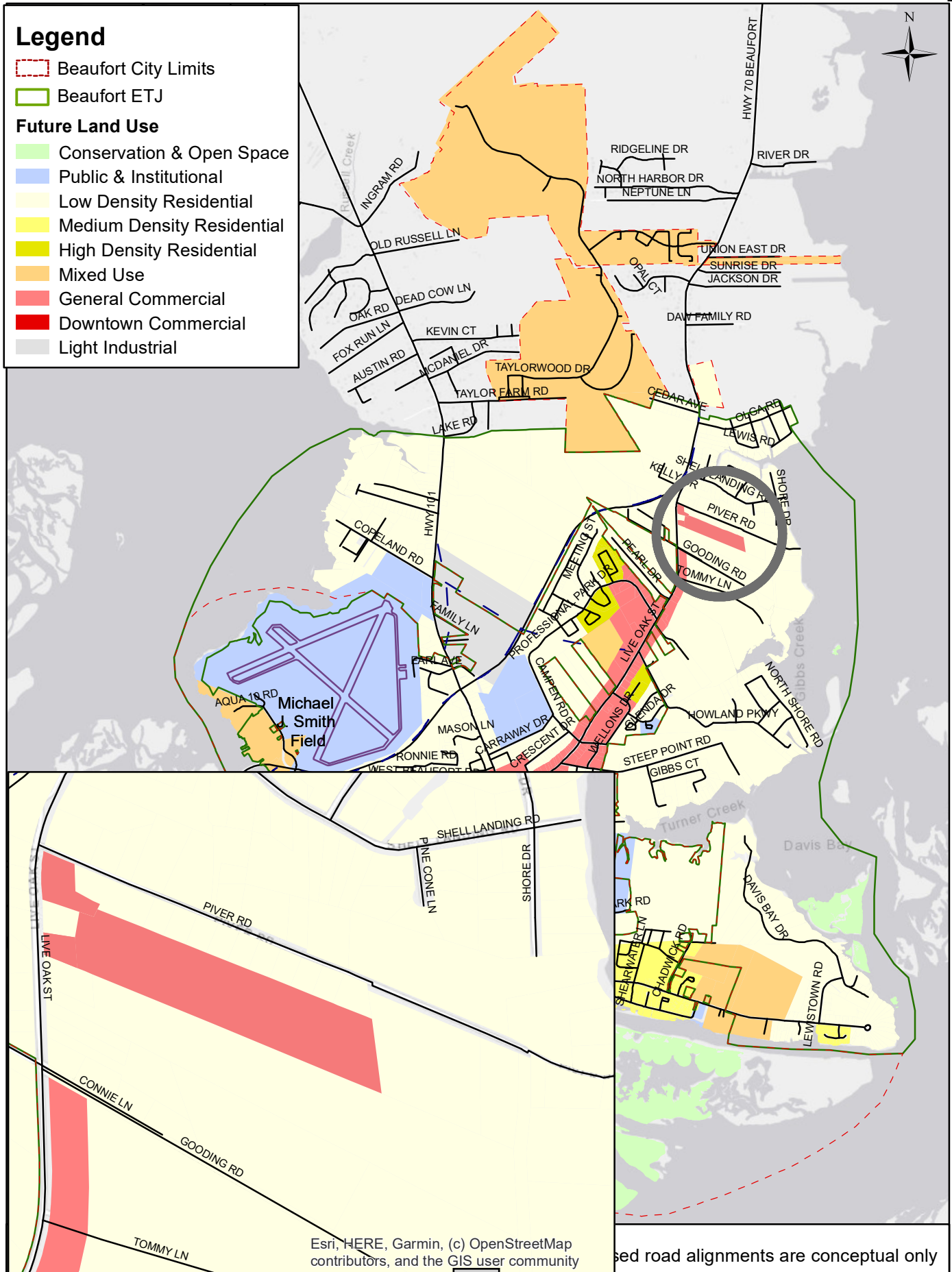
# Zoning Map - Case 21-26 -2158 Live Oak Street Rezoning From R-20 to B-1



250 125 0 250 Feet

72





**Legend**

- Beaufort City Limits
- Beaufort ETJ

**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

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community  
 Proposed road alignments are conceptual only

<u>OWNER</u>	<u>AIL_HOU</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST</u>	<u>AIL_Z</u>	<u>MAIL_ZI</u>	<u>MAIL_ADD2</u>
BLUEFIN PROPERTIES LLC			BEAUFORT	NC		28516	PO BOX 677
GARNER,MARCIA LYNETTE	118	PIVERS RD	BEAUFORT	NC		28516	
GARNER,RUTH ANITA	134	PIVERS RD	BEAUFORT	NC		28516	
MASSINO,CATHY LOUISE	125	BAY DRIVE	SMYRNA	NC	9579	28579	
MAY,RICKY V ETUX KATHERINE W	1897	NC 39 HWYS	LOUISBURG	NC	7104	27549	
THE ROSEMYR CORPORATION			HENDERSON	NC		27536	PO BOX 108
WILLIAMSON,TAMMY HARDISON	2158	US HIGHWAY 70 E	BEAUFORT	NC	7842	28516	



Town of Beaufort  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
www.beaufortnc.org

**APPLICATION FOR AN AMENDMENT TO THE  
BEAUFORT ZONING MAP**

**Instructions:**

Please complete the application below, include all the required attachments and the **\$300.00** for Rezoning request with no Land Use Plan Change or **\$400.00** for Rezoning Request with Land Use Plan Change and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and **will be** returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

**APPLICANT INFORMATION**

Applicant Name: Charles M. Cullipher, PE  
Applicant Address: 151-A NC HWY 24 Morehead City, NC 28557  
Phone Number: (252) 773-0090 Email: chase@tcgpa.com

Property Owner Name: <sup>THE</sup> Rosemyr Corporation  
Address of Property Owner: 231 South Garnett St. Henderson, NC 27536  
Phone Number: (252) 430-6161 Email: bill@rosemyr.com

**PROPERTY INFORMATION**

Property Address: 2158 Live Oak Street Beaufort, NC 28516  
15-Digit PIN: 731605191803000 Lot/Block Number: \_\_\_\_\_  
Size of Property (in square feet or acres): 0.579  
Current Zoning: R-20 Requested Zoning: B1  
Current Use of Property:  Residential  Vacant  Commercial  Other: \_\_\_\_\_

Applicant Signature: Charles M. Cullipher Date of Applicant's Signature: 10/11/21  
Property Owner Signature (if different than applicant): Wm W. Giffey SR SVP Date of Owner's Signature: 10/13/21  
THE ROSEMYR CORPORATION

An application fee of \$300.00 for Rezoning request with no Land Use Plan Change or \$400.00 for Rezoning Request with Land Use Plan Change, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.

Please refer to the *Land Development Ordinance, Section 3* and all other pertinent sections for the information required to accompany this application.

**REQUIRED ATTACHMENTS FOR AN AMENDMENT TO THE  
BEAUFORT ZONING MAP**

**Please provide the following as attachments to the zoning map amendment form:**

1. A statement as to whether or not the proposed zoning amendment is consistent with the Beaufort Land Use Plan.
2. A statement as to how the zoning amendment will promote the public health, safety or general welfare of the Town of Beaufort.
3. Proof of ownership (For example: a copy of the deed or city tax statement).  
If a property is owned by more than one individual or if multiple properties under different ownership are applying under one request, attach a statement and signatures indicating that all owners have given consent to request the zoning change.
4. An area map of property to scale which includes:
  - North Arrow;
  - All Property lines and accurate property line dimensions;
  - Adjacent streets and names;
  - Location of all easements;
  - Location of all structures;
  - Zoning classifications of all abutting properties.
5. Please submit one digital/electronic copy of any drawings or plans associated with the amendment. At least one paper copy of the drawings or plans should also be submitted.
6. A TYPED list all property owners (with addresses) within 100 feet of the boundary lines of all properties requested to be rezoned (notification of adjacent property owners by the Town is required by North Carolina law).

**THE COMPLETE APPLICATION WITH SUPPORTING  
DOCUMENTATION IS DUE TO TOWN STAFF AT LEAST 15 WORKING  
DAYS PRIOR TO A SCHEDULED PLANNING BOARD MEETING.**

The Town’s website is [www.beaufortnc.org](http://www.beaufortnc.org).

**OFFICE USE ONLY**

Revised 08/2020

Received by: \_\_\_\_\_

Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_

Date Deemed Complete and Accepted: \_\_\_\_\_



October 21, 2021

Mr. Kyle Garner  
Planning Director  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

Re: Rezoning of Live Oak Street parcel: PIN: 731605191803000

Mr. Garner,

This letter accompanies the request to amend the Beaufort Zoning Map for the subject property from R-20 to B-1 (General Business District). This will promote the public health, safety and general welfare of the Town by ensuring similar use along Live Oak Street as the adjoining properties which are also zoned as B-1 (General Business District).

Sincerely,

Charles M. Cullipher, P.E.  
Vice President  
The Cullipher Group, PA



October 21, 2021

Mr. Kyle Garner  
Planning Director  
Town of Beaufort  
701 Front St.  
Beaufort, NC 28516

Re: Rezoning of Live Oak Street parcel: PIN: 731605191803000 – Land Use Statement

Mr. Garner,

The subject property is currently listed as Residential in the Town CAMA Existing Land Use Plan. However, rezoning of the property to General Business District would allow for increased compatibility with the adjoining properties zoned as B-1. The (yet to be approved) Future CAMA Land Use Plan identifies the adjoining properties as commercial. The parcel is considered to be of High Suitability or Medium Suitability for development per the Land Use Plan, is within the Town’s Corporate Limits and, would potentially be developed in need of Town utilities and services.

Sincerely,

Charles M. Cullipher, P.E.  
Vice President  
The Cullipher Group, PA

### Subject Property/Surrounding Property Information

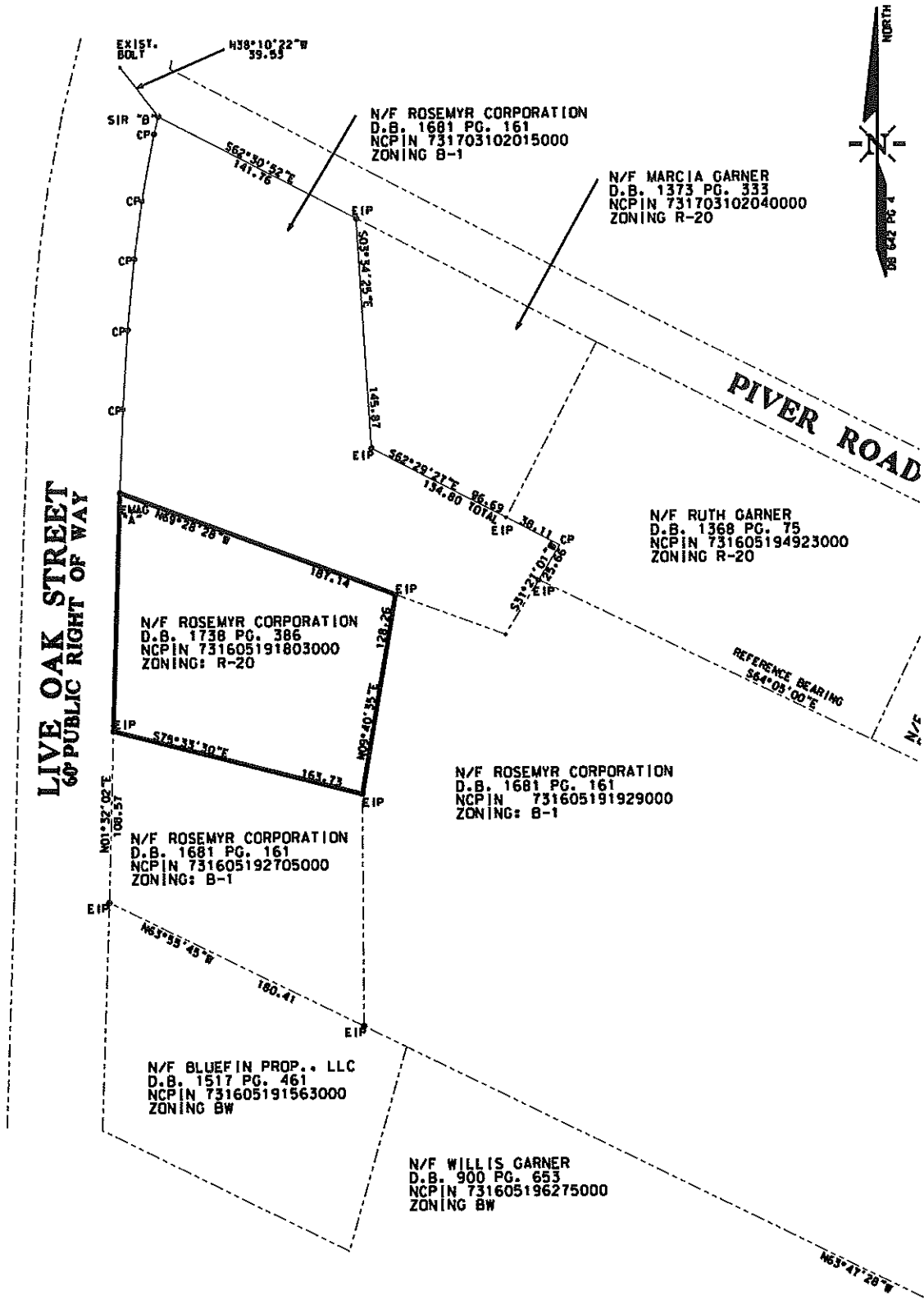
Subject Property: Rosemyr Corporation; DB 1738, PG 386; PIN: 731605191803000  
Physical Address: 2158 Live Oak Street, Beaufort NC 28516  
Mailing Address: PO Box 108 Henderson, NC 27536

The adjoining property owners are:

1. N/F Rosemyr Corporation; DB 1681, PG 161; PIN: 731605191929000 (East Adjoiner)  
Physical Address: N/A  
Mailing Address: PO Box 108 Henderson, NC 27536
2. N/F Rosemyr Corporation; DB 1681, PG 161; PIN: 731703102015000 (North Adjoiner)  
Physical Address: 2176 Live Oak Street, Beaufort NC 28516  
Mailing Address: PO Box 108 Henderson, NC 27536
3. N/F Rosemyr Corporation; DB 1681, PG 161; PIN: 731605192705000 (South Adjoiner)  
Physical Address: 2150 Live Oak Street, Beaufort NC 28516  
Mailing Address: PO Box 108 Henderson, NC 27536

The non-adjoining property owners within 100 Feet are:

1. N/F Katherine and Ricky Kay; DB 1194, PG 156; PIN: 731703007095000  
Physical Address: 2171 Live Oak Street, Beaufort, NC 28516  
Mailing Address: PO Box 1147 Beaufort, NC 28516
2. N/F Katherine and Ricky Kay; DB 1710, PG 045; PIN: 731605098983000  
Physical Address: 2169 Live Oak Street, Beaufort, NC 28516  
Mailing Address: PO Box 1147 Beaufort, NC 28516
3. N/F Katherine and Ricky Kay; DB 1710, PG 045; PIN: 731605098881000  
Physical Address: 2157 Live Oak Street, Beaufort, NC 28516  
Mailing Address: PO Box 1147 Beaufort, NC 28516
4. N/F Marcia Garner; DB 1373 PG 333; PIN: 731703102040000  
Physical Address: 118 Piver Road, Beaufort, NC 28516  
Mailing Address: 118 Piver Road, Beaufort, NC 28516
5. N/F Ruth Garner; DB 1368 PG 75; PIN: 731605194923000  
Physical Address: 134 Piver Road, Beaufort, NC 28516  
Mailing Address: 134 Piver Road, Beaufort, NC 28516





**BEAUFORT BOARD OF COMMISSIONERS  
AN ORDINANCE TO REZONE  
2158 LIVE OAK FROM R-20 to B-1  
ORDINANCE NO. 22-\_\_**

Applicant: The Cullipher Group on behalf of The Rosemyr Corporation  
Location: 2158 Live Oak  
Parcel ID: 731605191803000  
Lot Size: 0.579 acres  
Existing District: R-20 Low Density Residential  
Meeting Date: January 10, 2022  
Requested District: B-1 (General Commercial)

**WHEREAS**, the Cullipher Group on behalf of The Rosemyr Corporation has submitted a request to rezone the above referenced property to B-1; and

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

**WHEREAS**, the Beaufort Board of Commissioners conducted a public hearing on January 10, 2022 at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

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

1. The request is consistent with surrounding land use patterns and zoning in the area.
2. The proposed zoning of B-1 is inconsistent with the CAMA Core Land Use Plan, however the Board finds the requested B-1 District is consistent with the spirit and intent of the ordinance.

**NOW, THEREFORE, IT IS HEREBY ORDAINED** by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 2158 Live Oak is approved and the Town’s Zoning Map is amended accordingly.

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Enacted on motion of Commissioner \_\_\_\_\_ and carried on a vote of \_\_\_ in favor and \_\_\_ against.

This, the 10<sup>th</sup> day of January 2022

TOWN OF BEAUFORT

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Sharon Harker, Mayor

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Elizabeth Lewis, Town Clerk



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF BEAUFORT,  
NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE CAMA LAND USE PLAN**

**WHEREAS**, the Town of Beaufort desires to amend its CAMA Land Use Plan, specifically the map related to Future Land Use, and

**WHEREAS**, the CAMA Land Use Plan currently shows Low Density Residential at 2158 Live Oak (PIN 731605191803000); and,

**WHEREAS**, the Town of Beaufort desires to amend the CAMA Land Use Plan to General Commercial for the aforementioned area; and

**WHEREAS**, on November 15, 2021 the Planning Board recommended approval of the draft amendment to the CAMA Land Use Plan; and

**WHEREAS**, the Town of Beaufort conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on January 10, 2022; and

**WHEREAS**, at the Regular Meeting on January 10, 2022 the Board of Commissioners of the Town of Beaufort, North Carolina found the draft amendment to be consistent with the Town of Beaufort’s desired vision for the future and approved to adopt the draft amendment; and

**WHEREAS**, the adopted Plan will be submitted as required by state law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Division Director; and

**WHEREAS**, a review of the adopted draft amendment by the Director of the NC Division of Coastal Management will be undertaken; and the Director will then certify the Town’s land use plan amendment;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Beaufort, North Carolina, that the Future Land Use Map in the CAMA Land Use Plan be amended as follows:

2158 Lie Oak be identified as General Commercial on the CAMA Core  
Land Use Plan Future Land Use Map

**BE IT FURTHER RESOLVED** that the Board of Commissioners of Beaufort, North Carolina, has adopted the draft amendment; and

**BE IT FURTHER RESOLVED** that the Town Planner of the Town of Beaufort is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State for certification as described above.

Adopted this 10<sup>th</sup> day of January, 2022.

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Sharon Harker, Mayor

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Elizabeth Lewis, Town Clerk