



## **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, December 13, 2021 - Zoom due to the 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- October 25 & November 8, 2021
- [2.](#) Lions Club Bridge Run 2022

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

- [1.](#) Returning to In-Person Meetings
- [2.](#) Delinquent Utility Accounts

#### **Public Hearing**

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

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

#### **Adjourn**



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**Board of Commissioners  
Virtual Regular Meeting  
6:00 PM – Monday, Dec. 13, 2021**

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

**REQUESTED ACTION:**

Consider approval of minutes as presented: October 25, 2021  
November 8, 2021

**EXPECTED LENGTH OF PRESENTATION:**

1 minute

**SUBMITTED BY:**

Elizabeth Lewis, Town Clerk

**BUDGET AMENDMENT REQUIRED:**

No



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**Town of Beaufort Board of Commissioners Work Session Meeting  
4:00 PM Monday, October 25, 2021 - Zoom Meeting due to COVID-19 Pandemic  
Minutes**

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**Call To Order**

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

**Roll Call**

Elizabeth Lewis, Town Clerk, called roll.

**PRESENT**

- Mayor Newton
- Commissioner Carter
- Commissioner Hagle
- Commissioner Hollinshed

Mayor Newton said he heard from Commissioner Harker, and she would be a few minutes late.

Commissioner McDonald was not present at the time of roll call.

**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 Hagle, Commissioner Hollinshed, Commissioner Carter

Commissioner Harker joined the meeting.

**Project Updates**

Greg Meshaw, Town Engineer, gave a detailed presentation on current projects. Mr. Meshaw shared there were 16 active projects:

- Cedar Street Park
- FY20 Street Rehabilitation & Construction
- Turner Street 100 Block Pedestrian Improvement

- 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)
- Waste Asset Inventory Assessment
- High-Rate Infiltration System Permit Reacquisition
- ECHS Sewer Pumping Issue Investigation
- Wastewater Design Unit Flow Reduction Request
- Pruitt Health Sewer Service Construction
- Meeting Street Drainage Improvements
- Lennoxville Road Pond Bank Stabilization & Culvert Replacement
- Fire Station No. 2 Renovation

Mayor Newton asked if there were any questions.

Commissioner Carter asked where the ground water lowering drain was going to discharge.

Mr. Meshaw said it would most likely discharge into Taylor's Creek.

Commissioner Carter asked if that could be done or if it was part of the sewer discharge.

Mr. Meshaw explained the Town would be applying for a NPDES permit, to amend the current discharge rate.

Commissioner Carter asked if there was any chance of getting it.

Mr. Meshaw said the consultants think it is a very doable thing.

Commissioner Carter said she hoped the state thought the same thing.

Mr. Meshaw said their consultant talked to someone at the state when they were planning this early on and they voiced no objections; while there were no red flags raised, you still must go through the process.

Commissioner asked if they would be able to expand the discharge permit from the sewer plant.

Mr. Meshaw said it is possible, but they would have to go through the process. He added that there had been some discussion about the possibility of doing a study and talking to the state about speculative limits for an expansion of the plant; but with the 350,000-gallon high-rate infiltration basin available, they really didn't go very far with that plan.

Commissioner Harker asked who would be responsible for the berm associated the high-rate infiltration, as far as putting it in and paying for it.

Mr. Meshaw said he thought it would be us.

Commissioner Harker asked if we knew how much that would cost.

Mr. Meshaw said there would be an opinion of cost when the plans were pulled together, probably at the 25% design stage. He added that they have always known the final grading portion would be necessary and putting in the piping to it from the wastewater treatment plant.

Commissioner Harker asked about the connection at Pruitt, and if the Town would be responsible for digging under the highway to make the connection.

Mr. Meshaw said yes, the way he understood it was they would be doing it by agreement.

Commissioner Hollinshed had no questions.

Commissioner Hagle asked about the discharge lines from the pond and if it would be a separate line into Taylor’s Creek or if it would be connected to the current discharge piping.

Mr. Meshaw said right now they think it is going to be a separate line.

Commissioner Hagle asked if it would be a separate line run from that pond to Taylor’s Creek, from a different area.

Mr. Meshaw said right now they think it will be a separate line that will end up going down Leonda, pretty much where the existing discharge from the wastewater treatment plant goes.

Commissioner Hagle asked if we would have to be covering all of the cost of the separate line down Leonda

Mr. Meshaw said he believed so.

Commissioner Hagle said great report and thanked everyone for all their hard work moving forward with the infrastructure improvements. He also added great work on Cedar Street, it is moving along rapidly.

Mr. Meshaw said they had met with some individuals from NCDOT, to include Preston, and what they understood was the work to put the storm sewer in Cedar Street is probably going to be finished up in a month in a half to two months. He said they also talked with some individuals out of Hydrographics in Raleigh; they have had some personnel changes there, so we all sat down to discuss the project and let them know the Town was still interested. Mr. Meshaw said they felt once they got another consultant on board, they could have plans for the bump outs ready to go by the Spring of 2022. This would mean the construction could possibly be finished up towards the end of the year. He also added that the complete paving of Cedar Street scheduled for this year, there is a paving contract that has been bid and awarded, but with the bump outs happening, they are talking about pushing the paving portion out, resulting in such patches throughout Cedar Street until everything is complete and ready to be paved.

Mayor Newton thanked Mr. Meshaw for his report.

Commissioner McDonald joined the meeting.

**Public Comment**

There was no public comment.

**Items for Discussion and Consideration**

- 1. COVID Numbers in Carteret County, Returning to In-Person Meetings, Employee Emergency Medical Leave Check-In

Mayor Newton reported the current COVID numbers in Carteret County as: 102 active cases, 7 hospitalizations, 5.2% active positive rate. He then went down the roster to discuss returning to in-person meetings.

Commissioner Carter said they could return next month as long as the rate stayed down, that would be good.

Mayor Newton asked if she meant the November 8<sup>th</sup> meeting for a return to in-person date.

Commissioner Carter said yes sir.

Commissioner Harker said she was fine to going back to in-person, November 8<sup>th</sup> could be a benchmark, but she would like to discuss how they were going to safely open it up to the public.

She added that she did not want to diminish any opportunity for citizens to have access to the meetings.

Commissioner McDonald said he was hoping to continue as it was until after the holidays; looking to return in-person for the January meeting.

Commissioner Hollinshed said she was willing to go into the in-person meetings with precautions.

Commissioner Hagle agreed with going to in-person and said he would like to know more about the hybrid option because with in-person, the number of people that will be able to attend will be limited.

Mayor Newton said the last thing he heard from the Town Manager was that the hybrid system (the pieces and parts) would not be available until the end of December, is that correct John?

John Day, Town Manager, said that was right; it was scheduled to be shipped on December 27<sup>th</sup>

Commissioner Hagle asked if there was anything else they could do so that people would be able to remotely access and participate.

Mr. Day said that the participation is the problematic part, you can make it so people can view it. He said they could look into any kind of workarounds to do that, but agreed with the group stating, he thought it would severely limit the number of people who participate. He added they usually have a high number of participants, which would present a problem.

Commissioner Hagle asked if they would still need to have a separation of people.

Mr. Day said you are not required to, but it seems prudent. He added that he was not comfortable with going into a room full of people for two hours.

Commissioner Harker asked if mask were still required on Town property.

Mr. Day said they were requiring that until the positive rate hits 5%

Commissioner Harker said that is close to where it is right now.

Commissioner McDonald asked if flu season was almost upon us.

Commissioner Harker said we are in flu season.

Commissioner McDonald said he did not think it would be wise to go into this with flu season being upon us and unaware of what COVID would do on top of it. He added it is too late to figure

it out after they gather, somebody gets in and they start wishing they had done things differently. He said he still thought they should wait until the holidays were over and then they can see.

Mayor Newton went down the roster and asked each commissioner what the meetings should look like, as far as socially distancing outside and inside the dais.

Commissioner Carter said she wasn't so much concerned with the board socially distancing, I think we have all been vaccinated, and we would not need to wear a mask because you can't understand people if you are talking with a mask on. She said the audience should at least have 3-feet between each member and wear a mask.

Commissioner Harker said she had to think about all of the other boards that would be affected by this decision because of how they would gather, there will be some topics that people will want to be apart of and as we have seen on Zoom, that has been quite a bit. They are never going to fit into that venue, and we can't really find a venue big enough to put them in without putting somebody else out; if the school was used, they would have to spend a lot of money to clean up afterwards. She said if you open it up... you will still have to wear the mask, you will only have a handful of people who will be able to participate, you won't be able to accommodate larger crowds, and we don't have the hybrid equipment coming in until December. She added she was leaning towards Commissioner McDonald's decision, waiting until after the equipment gets here, because she does not want citizen access to these meetings, volunteer as well.

Commissioner McDonald said he had no other comments.

Commissioner Hollinshed said she thought they needed to be cautious, and they could wear their mask unless they were speaking, by easily pulling it down for clarity. She said she thought anybody coming in needed to be masked.

Mayor Newton asked Commissioner Hollinshed if she recommended everyone be masked unless they have a speaking part.

Commissioner Hollinshed said she did.

Commissioner Hagle said he agreed with that but he was concerned with the participation because if they have it in the Depot at the normal location, there probably won't be room for more than 20 people at the most, depending on the spread and separation requirements. He said that will limit the number of people that will be able to participate, unless there is some other way people can make comments, and added that he was disappointed they could not get the equipment sooner because he thought they needed to start back and the participation of the citizens was very important for all boards.

Mayor Newton asked Commissioner Hagle if he wanted to wait until the hybrid solution was in place.

Commissioner Hagle said do we not think citizen's participation is as important.

Mayor Newton said he thought they all agreed that it is important.

Commissioner Hagle said he did not know what other option they had unless they go to another venue.

Commissioner Hollinshed said or a different vendor.

Commissioner Hagle said it may be related to all the other IT shortages across the world.

Commissioner Harker said the supply chain is so disruptive, it is crazy in the medical world as well. She added although you are vaccinated, that is a nice boost that reduces hospitalizations, but it does not necessarily mean you cannot contract it; so, she would agree with wearing a mask in that particular closed setting. Ultimately, she suggested waiting until the equipment comes in to ensure participation for the citizens.

Commissioner Carter said she did not have a problem with that, she would rather keep everybody safe and allow the citizens to participate.

Mayor Newton said he heard a consensus to wait until the hybrid equipment is in place, understanding that we don't think the bits and pieces will be in until around December 27<sup>th</sup>.

Commissioner Hollinshed asked if that was delivery or installed, we are talking two different things.

Mr. Day said his recollection was that it was the delivery, but he would follow up to make sure; the firm recommended using the same type of equipment that is already in there, because mixing equipment of that caliber can sometimes lead to issues and as Commissioner Harker mentioned, with higher end equipment, there are some supply chain issues out there.

Commissioner Hollinshed said so that is not a drop-dead firm day, it could get pushed out another month or two

Mr. Day said, or it could be sooner.

Mayor Newton said he thought there was a consensus and moved onto the Employee Emergency Medical Leave Check-in.

Commissioner Carter said no change on that.

Commissioner Harker asked if there was any change as far as employees seeking a vaccination, has the number increased any?

Mr. Day said we don't get those reports, so he didn't really know for sure.

Commissioner Harker said she wished it would remain the same.

Commissioner McDonald said remain the same.

Commissioner Hollinshed said stay the course.

Commissioner Hagle said stay the same.

2. Minutes- Past

Rachel Johnson, Parks & Events Coordinator/PIO/Deputy Clerk, presented the Board of Commissioner meeting minutes from May 10 & September 13, 2021. She said these minutes were part of the backlog as well as the catch up; there are four more meetings coming from May that are anticipated to be on the next agenda.

Mayor Newton asked if there were 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 the September 13<sup>th</sup> minutes were very difficult to read, some of the words may not have been understood if it was done electronically. He suggested somebody read through them again and do a little bit of editing.

Ms. Johnson said she would certainly go back over those and review them and informed the group there were two different systems being utilized to transcribe the minutes right now.

Mayor Newton asked the Commissioners if those edits were made, should it be moved to the consent agenda.

This suggestion was agreed upon unanimously.

3. Minutes- Current

Ms. Lewis presented the minutes from the Board of Commissioner Regular Meeting on October 11, 2021.

Mayor Newton asked if there were any qualms about moving it to the consent agenda.

There were no issues with that request.

4. Proposed 2022 Board of Commissioners Meeting Dates

Ms. Lewis presented the 2022 BOC Dates asked that it be moved to the consent agenda. She pointed out there was one conflict with the normal work session date of December 27, 2022; that meeting was moved to the third Monday of December to accommodate the Christmas holidays.

Mayor Newton asked if there were any questions.

Commissioner Carter had no questions.

Commissioner Harker had no questions.

Commissioner McDonald had no questions.

Commissioner Hollinshed had no questions.

Commissioner Hagle had no questions.

5. Repeal of Demolition Ordinance - 400 Pollock Street

Mr. Day presented the item, explaining a buyer has been identified and is planning to close on 400 Pollock Street the next day. He informed the group that Maggie Gregg, from Preservation North Carolina, was available to answer any questions about the property being rehabilitated.

Ms. Gregg explained there was a rehabilitation agreement in place to ensure that it is planned for and that it occurs. She said the agreement had specific benchmarks and deadlines that will be signed by the buyer at closing, which outlines architecture and engineered plans.

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

Commissioner Carter asked if those benchmarks had dates, as it has been delayed for so long. She said she wanted to make sure it was not going to be sitting another year with no action.

Ms. Gregg said there were benchmark dates associated with it and she was happy to share the rehabilitation agreement with you all. She said the planned construction, based on current guidelines with supply chain issues from her contractor, would begin at the latest by April 1, 2022.

Commissioner Carter said that was a long way off.

Commissioner Harker said now that there was a benchmark in place, was anybody going to look at the property to tack down the wrap that is blowing in the wind.

Ms. Gregg said based on her understanding, there was someone out there last week doing the work, if there is still an issue, she was not aware of it.

1.

Commissioner Harker said it was last week when she saw it, so it is probably fixed.

Commissioner McDonald asked when the board put an ordinance in effect to demolish the building.

Mayor Newton asked Mr. Day if he knew the date.

Mr. Day said he did not have the date in front of him, but it had probably been a couple years ago and asked Arey Grady, Town Attorney, if he knew the date.

Mr. Grady said it was signed effective March 11, 2019

Commissioner McDonald asked at that time, what did the ordinance state as far as the purpose of the demolition.

Mr. Grady said it was due to the condition of the building; the inspector and code enforcement officer were instructed to move forward with the demolition and then the preservation group got involved at some point after that.

Commissioner McDonald said when the ordinance was put in place, what was the cause for the demolition order?

Mr. Grady said that the order quotes the notices of violation that had been issued over the years. He paraphrased by reading the staff report, which stated that repairs could not be made for more than 50% of the value of the structure, resulting in an order issued to demolish the building.

Commissioner McDonald asked if he was saying that the building structure was in such of a matter that it could not be fixed, at that time, March 11, 2019.

Mr. Grady said no sir, I am not saying that; I am certainly not an engineer or a contractor. He said the issue was the cost of the improvements verses the value of the property; there is a 50% threshold in the statues and in the Town's ordinances. He explained the rule of thumb, once you hit 50% that it becomes a demolition type of situation and if it is under 50% the presumption is that it makes sense to undertake the repairs.

Commissioner McDonald asked who the engineer was that said that particular building, on March 19, said that it was in such a condition that it had to be demolished.

Mr. Grady said he did not have that in front of him, but he did recall there was an extensive engineer's report that reached that conclusion. He added he wasn't sure who requested that report, but it was his recollection that the building had been inspected and evaluated numerous

times over the years and that demolition was the route that was chosen. He said that is not to s  
you cannot rehabilitate the building, as it sounds like the new purchasers intend on doing that.

Mr. Day said additionally the issue was there were a number of code violations that needed to be addressed and the owner had a certain time period to address them, and it was not done.

Commissioner McDonald asked if that required you to tear down a citizen's property because they are not in a financial state to repair it.

Mr. Day said it doesn't require that, it is at the discretion of the board.

Commissioner McDonald said so, the board went back to the ordinance that will back up that they would have to come up with an ordinance to demolish the property because of its structural condition.

Mr. Day said the ordinance was not because of the structural condition, it was because of the code violations.

Commissioner McDonald asked if the Town of Beaufort demolished people's property because of those reasons stated.

Mr. Day said in many cases the owners of the property demolish it themselves because they are unable to address the code violations. He said there have been several instances of that in the last few years.

Commissioner McDonald said that Beaufort Middle School, two separate places, have been in that position for several years and it wasn't destroyed. He said he could not understand how this building become a sore eye in the Town of Beaufort.

Mr. Day said the board was considering repealing the order so that it can be sold and rehabilitated.

Commissioner McDonald asked why they were repealing it, was it because of structure reasons.

Mr. Day said they were repealing it because someone has agreed to buy the building and make all the repairs, but they can't actually close on it until the ordinance for demolition has actually been repealed.

Commissioner McDonald asked if the building was in such repair that it could not be fixed.

Mr. Day said no, that is why there was a time given for those repairs to be made, because they could be made.

Commissioner McDonald said so, the building has always been structurally sound.

Mr. Day said he could not speak to that.

Commissioner McDonald said somebody had to speak to it to give a demolition order.

Mr. Day said not necessarily, that could be done for code violations, it doesn't necessarily mean it has to be structurally unsound as it would be determined by an engineer.

Commissioner McDonald said maybe he had been misinformed, but he did not think he had. He said it does not look good for the Town of Beaufort to do what they were going to do to the building or to the citizens that own the building. He added the family was not in a financial position to move forward to meet those standards, but they tried several times to sell the building and there were articles that came out in the newspaper that turned people away from buying it.

Mayor Newton said there was a process in place to address the facility and Commissioner McDonald recused himself because he had family ties to the building; but the process was in place, and they were very fortunate Preservation North Carolina came in at the very end game to offer to assist. He added they were in a position now to be able to repeal the demolition order, the property can be closed on, and they can move forward to protect the building by renovating it and adding to Cedar Street.

Commissioner McDonald said what took place during that time did not make it right and he was not speaking for the family, rather a board member, so that things of this nature would not happen to any other family. He said he thought it could have been handled differently. He added that he hoped the attorney could produce documents stating that the building, on March 11, 2019, was in such of a non-repair that it had to be demolished.

Mr. Grady said he would glad to produce what he could; the Planning and Code Enforcement department have an extraordinarily extensive file on the matter, and he will get him what they had.

Commissioner McDonald said he would appreciate that.

Commissioner Hollinshed said she thought this had made a lot of progress and she was glad it was getting ready to move forward. She said knowing how things collapse because of the supply chain and finding competent workers, she had a problem with the board executing the repeal before closing. She said she would like to execute it at the time of closing if possible, more simultaneously actions. She said in order for the Town to be protected, she thought lifting the demolition order should be contingent on the property closing, along with other documents that need to be executed.

Mayor Newton said he believed they had to lift it before the buyer could close.

Commissioner Hollinshed said they could put the contingency on it today, if they vote for it, and then it can be executed right before closing.

Mr. Grady said he had been in contact with the closing attorney, and he thought they could work that out administratively. He added that the original demolition ordinance was recorded in the Register of Deeds, as required by law. He said they would need a second document lifting the demolition order, also recorded in the Register of Deeds, clearly, they won't have that in hand by tomorrow. Mr. Grady suggested that they style it as the release has been conditionally approved, provided that they actually close, and then follow up with the document and recording after closing.

1.

Commissioner Hollinshed said that is exactly what she was talking about.

Commissioner Carter agreed with the suggestion.

Commissioner Hagle said it was great to see things moving forward and he appreciated all the work Preservation North Carolina did to protect the building and he looks forward to it being reused. He added it will be a great addition to the Cedar Street rehabilitation in the coming years. He said he would accept anything they needed to do to satisfy the closing with repealing the demolition.

Mayor said what he thought he heard was a consensus to make the repeal a condition, prior to closing.

Commissioner Harker asked if there was going to be some type of time constraints on the buyer to fix the building, how long would they allow the conditions to go unaddressed? Can the timeline be bumped up any because the same reason we have given the demolition still exists?

Ms. Gregg said yes that time was the period given to the buyer by her contractor as the latest date he anticipated being able to start the project. She said if he was able to get the materials sooner and be able to start sooner, she thought everybody would be on board with that. She explained when they crafted the documents, there were deadlines, there is nothing to say that the work can't be done sooner; her understanding from the buyer is that she wants to start as soon as possible, there are designs in place.

Commissioner Harker said so that timeline could be sooner than what you are presenting now.

Ms. Gregg said yes, those are deadlines they put in place, and it could certainly move faster than the deadlines, but it must be accomplished by the deadlines.

Commissioner Harker asked if they felt they could repurpose the house with the conditions that currently exist. She added it had been a while and she didn't want things to get worse where they wouldn't be able to do anything with it.

Ms. Gregg said yes, the contractor and architect met on site a few weeks ago with those plans they finalized for moving it forward.

Commissioner Carter asked if the buyer did not move forward with the repair, would the board have to re-establish the demolition permit?

Commissioner Harker said yes, the conditions still exist, and they are not going anywhere; if we lift it, they will be allowed to do the work, but it will go back into demolition mode if they are not resolved.

Commissioner Hollinshed said they need it lifted to close, nothing would change in the next few weeks, so they should lift it simultaneously with closing. She said there had been foot dragging and excuses, but she was glad to see this thing move forward, and she was willing to make a motion.

Mayor Newton asked if she could clarify the motion.

Commissioner Hollinshed said she would like to make a motion they lift the demolition that is on the project at 400 Pollock property and that takes place concurrently at closing.

Commissioner McDonald asked if it came to the point where they had to re-issue the demolition order, who does that?

Mr. Grady said if it does not close for whatever reason, the order is not lifted, so it would be back before the board in that situation to re-engage on the mechanics of hiring a contractor and demolishing the building. He said if it does close, and the order is voided or released, and the new owner does not perform on the new agreement that Maggie Gregg referenced, then it would really start off as a code enforcement issue. He said there are so many layers of due process of notice, it would take a while to get back to the board but that would be the path, he would anticipate at that point.

Commissioner Hollinshed said at that point, it would be with the North Carolina Preservation group as opposed to various family members that held title prior to.

Mr. Grady said yes, whoever the record owner is would be the defendant if you will.

Commissioner Harker said they would have to follow the same due process as the Godette family as well; we talked about a process in place and if they have to follow it then so should Preservation North Carolina.

Mr. Grady said yes mam. He had received a Dropbox file some time ago, that contained information about the number of times there was a hearing, code enforcement and building inspections on this matter. He said there were ample opportunities to be heard or to challenge it. Mr. Grady said his take on it was that the Town does not desire to be in the business of tearing down people's structures; the Town wants the owner to fix it and demolition is really the last straw, which can be seen with this case as some of the files date back to 2015. He said the Town really bent over backwards to get someone to do something so they wouldn't have to be in the position of tearing down a private citizens structure. Mr. Grady said the Dropbox file was available to be sent to the Mayor, Commissioners and Town Management team.

Mayor Newton said there was a motion on the floor, was there any further discussion, if not let's go down the roster for a vote.

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

Voting Nay: Commissioner McDonald

The motion carried with a 4-1 vote.

6. Wastewater Treatment Capacity & Allocation Update

Mayor Newton asked the board, based on cyber security concerns, if this topic could be moved to the November formal meeting.

Commissioner Hagle made a motion to move the item to the November Regular Meeting.

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

The motion carried unanimously.

7. Upcoming BDA Events

Ms. Johnson explained this was somewhat of a place holder while the applications came in. There are three upcoming events, one of those being the Christmas Parade, that will need to go before the board. She asked for a place holder for that event for the next meeting.

Mayor Newton asked if there were any questions.

Commissioner Carter had no questions.

Commissioner Harker had no questions and added it would be nice to have a Christmas Parade.

Commissioner McDonald said it was a good thing.

Commissioner Hollinshed had no questions.

Commissioner Hagle had no questions.

Mayor Newton asked if there was a consensus to put the item on the November 8<sup>th</sup> agenda.

This suggestion was agreed upon unanimously.

8. Tent Discussion

Ms. Johnson presented this item and said that staff was asked to bring this issue before the board for discussion, following a recent incident where a tent stayed beyond the permitted time. She said staff was looking for direction on which way the board would like them to proceed; that would also involve discussion with the Fire Department to discuss the tent permitting aspect of it.

Mayor Newton asked if there were any comments or questions.

Commissioner Carter said she believes the tents serve a very valuable purpose and do promote the Town to have events that require a tent. She suggested rather than damaging the pavement, they look into having large vats that are filled with water by the Fire Department, to avoid driving stakes into the pavement itself. She added if the tent vendor is not going to be cooperative, she would hate for the non-profit to be penalized, the tent company should be.

Commissioner Harker said if you put in place a fee, no matter who pays it, she didn't know if that would really address the underlying issue of the tent being there longer than it needs to be. She said fines are one thing, somebody might say they are more than happy to pay it but does that really address the issue of a tent being there over an extended period of time; which has not happened that often, has it?

Commissioner Hagle said it has not been often.

Commissioner Harker said she was concerned about the damage it was causing, if they could think of another way to avoid that, she didn't realize it was occurring until she read all the notes. She said you could probably do a fine, whoever decides to put on the event, whether it be non-profit or otherwise, they know that they have some skin in the game and maybe that will help them choose a particular company that will be more responsive.

Commissioner McDonald had no comments.

Commissioner Hollinshed said first, they need a safety factor for any kind of tent that is raised; the parking area must be shared, it doesn't belong to just the person who has the permit, it has to be shared once that permit expires or the tent has to come down, so that the merchants can use that area. She said Wine and Food were new to the game, the two directors were new to the system of it being downtown, maybe it was a rookie error, they were very apologetic about it. She said the board did not look at it close enough prior, it was a three-day weekend including Columbus Day and more people were in the area. She said she understood that the Fire Marshall might get involved in a re-write of the Town's ordinance, the other question is do they want to keep these events downtown? She said her opinion is yes, and the Board of Commissioners need to be more aware of the impact of a 4-day tent being erected downtown, and what it could mean. She suggested there either be a fine or an escrow ahead of time that could be used to possibly remove it by using other personnel if that is possible.

Commissioner Harker asked if that would be legal.

Commissioner Holinshed said it would if we write it into the contract.

Commissioner Hagle said he agreed, they needed to be more cautious on weekends there is a holiday and maybe only permit a certain number of days in those situations. He said he really thinks a fine will help and that they should leave it with the organization that is organizing the event, suggesting they can work with the chosen tent company and maybe their contract with the company will have some sort of penalties that will encourage the tent company to remove it on time. He agreed it has not happened often but starting with a fine could be helpful in preventing this from occurring.

Mayor Newton said what he is hearing is that they are not anti-tent, but they do want to make sure the organizers are working with the tent company to make sure they can tear down in the appropriate time.

Commissioner Hagle said I think we should hold the event organization responsible, with a fine, and then they must work with the tent company to recover that fee if it comes to that.

Commissioner Carter asked the Fire Chief to comment.

Tony Ray, Fire Chief, said he had several conversations on this with Rachel and the Fire Marshall. He said they would like to look at the ordinance, as it is almost like there are two parts, the first part being through the event organizer. He said the event organizer, like us, is not structure specialist and such, but the tent installer should be held separately in their own category. He said they were working on a checklist that would be signed off on, where they say the structure is up to code and everything is spelled out in the Fire Code; the idea behind the event coordinator being held to this is because we would rather see a deposit or some type of instrument put forth that the tent vendor would be held responsible if the tent isn't broken down, there is damage done or the public property is not left in an "as found" type of condition.

Commissioner Hagle said he prefer the organizer do that verses the Town.

Commissioner Carter said she prefer the tent company be responsible because they are the ones that can take it down.

Commissioner Hagle said he did not think the Town should be controlling the tent company, the organizer does.

Mr. Ray said the idea would be the event organizer would still be in the application, but the tent installer would be held under an inspection type and be responsible for bringing it down in a timely matter or any damage that is done. He said the tent organizer would just be responsible for bringing the event; the tent vendor is what he sees separately.

Commissioner Hagle said he would like the organizer to be the vendor for the tent.

Commissioner Carter said she would rather have the company itself be responsible for their own actions. 1.

Commissioner Harker asked if the vendors had their own contract and what does it stipulate; there must be some stipulations from the vendor if they do not meet the time frame. Rachel, what does their contract look like?

Ms. Johnson said the individual contract with the tent vendor is not something that the Town is privy to, we have our own application, and they only give us the name of the company they are using.

Commissioner Harker said then the applicant is responsible then if we can't get a copy.

Ms. Johnson said that is the current way our ordinance is set up; staff's bigger question on this is what would that fee be? She said it had never really been discussed.

Commissioner Carter said the fee would be you have to pay for parking the extra days if it is during the time we charge for parking; if it is not during that time, it can be something comparable. She added she would hate to see the fee applied to the non-profit, but then again it is downtown that is their responsibility.

Commissioner Harker said she thought they could start there, even if it's not parking.

Commissioner McDonald said he thought the ordinance stated a tent could be erected so many hours before the event and has to come down so many hours after the event, maybe three hours or so. He said he thought this was discussed maybe three or four years ago.

Commissioner Hollinshed said if a fine or fee was decided upon, it needs to be eye catching and something that could be enforced. She said she thought Rachel working with the Fire Inspector could fabricate something and then bring it back with their recommendations, as they have heard what we are looking for, then we could tweak it.

Commissioner Hagle said he thought the fee should be based on the parking revenue that would be lost, whether it is a parking season or not, it can be used as a basis of the penalty for not removing the tent as the contract states.

Mayor Newton asked Rachel if she had the rough guidelines that she needed.

Ms. Johnson said yes.

## 9. Financial Notes

Christi Wood, Finance Director, went over the financial report and notes for September 2021. She explained the tax collections for August and September were included in the coversheet. She said she was happy to 19er any questions from the report.

There were no questions from the board.

10. FY 2022 Budget Amendment 4

Ms. Wood explained in the general fund this amendment requests a fund balance appropriation for the police department for ammunition that was ordered in FY 21 and is on back order; the amount is \$6,600; this amount was missed in the first appropriation done for items that were not completed in the prior fiscal year. She said in the utility fund, we are requesting \$20,000 appropriation from unrestricted fund balance; this is for the SCADA system, that controls the Wastewater Treatment Plant. She added the current control equipment is outdated and not compatible with the new computer system.

Mayor Newton asked if there were any questions and if the commissioners would like to put it on the consent agenda.

Commissioner Carter asked if the money was coming from the Utility Fund balance or the General Fund.

Ms. Wood said for the SCADA equipment, the Utility Fund and for the police ammunition, the General Fund.

Commissioner Carter asked if that was already approved.

Ms. Wood the ammunition was in last year's budget but due to the back order, we did not receive it or pay for it last year, so we are asking to reappropriate it in the current year.

Commissioner Carter said thank you.

Commissioner Harker asked if the ammunition was still on back order.

Ms. Wood said she did not believe it had been received yet... Chief Burdette, are you on the line?

Paul Burdette, Chief of Police, said there was significant delay in ammunition across the country based on political events and views over the last year and a half. He said it was taking a much longer period to get the ammunition, which is why they ordered it as early as they did, in anticipation of the delay.

Commissioner Harker asked the Chief if he felt comfortable with the amount of ammunition that we have.

Mr. Burdette said, yes mam, they planned properly. He said he did not want to push it so they planned to order every other year.

Commissioner Harker said good job, no further questions.

Mayor Newton asked if Commissioner Harker was okay with consent agenda.

Commissioner Harker said yes, consent agenda for her.

Commissioner McDonald said he was fine with consent agenda.

Commissioner Hollinshed said consent agenda.

Commissioner Hagle said it was great to see they were going to upgrade the SCADA system because it is important for the operation of the plant, and he added consent is fine.

#### 11. Capital Project Ordinances - American Rescue Plan Act

Ms. Wood said as you recall, the Town is slated to receive two distributions from the American Rescue Plan Act. She said they received the first distribution in early August. She explained it was required that they adopt a budget before any of the funds could be spent; much like the USDA project, you have approved to do some governmental projects as well as some enterprise projects. She said there are two ordinances before you tonight: one for Stormwater and Equipment, and one for Utilities. She explained the ordinance for the governmental Stormwater was \$178,841 and for the Utilities it was \$1,240,000; and elaborated on what made up those amounts. She said there were additional funds that have not yet been discussed and it is suggested they go into governmental budget for the Commissioners to determine what they would like to use the funds for, that are inline with the grant purposes that are allowed.

Mayor Newton asked if that was the \$90,000.

Ms. Wood said yes sir.

Mayor Newton went down the roster for questions or comments.

Commissioner Carter said we are not spending the \$90,000 at this point are we.

Ms. Wood said that was correct it is labeled for future projects as allowed by the grant and the governmental ordinance.

Commissioner Harker asked if the Town would be spending their money first and then get reimbursed by the American Rescue Plan Act.

Ms. Wood said they had received the first distribution already, the \$709,000; it is not a reimbursement program, there will be two distributions.

Commissioner McDonald said he had no questions.

Commissioner Hollinshed said she would like to see it go on the discussion agenda.

Commissioner Hagle had no questions and said the discussion agenda was fine.

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

Commissioner Carter reminded everyone vaccinations were still available, as well as boosters, and urged people to take advantage of the opportunity to protect themselves and friends.

Commissioner Harker had no comments.

Commissioner McDonald said he wanted to clarify he was not arguing or confused about the building or the way it was handled. He added he was only concerned that it did not happen that way to any other citizen of Beaufort.

Commissioner Hollinshed said the Business Association Downtown was hoping to get some assistance from the Town on installing the solar lit globes in the trees this year. She said they wanted to make sure they were safe and may need to formally request the help from the Town. She reminded the group of upcoming events, such as the Lion’s Club Run and the Christmas Parade.

Commissioner Hagle had no comments.

Mayor Newton asked if there was a motion to go into closed session, in accordance with North Carolina General Statute 143-318.11 (a) (6)

Commissioner Hagle made a motion to go into closed session.

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

The motion carried unanimously.

**Closed Session**

- 1. Personnel

**Adjourn**

Commissioner Hagle made a motion to adjourn.

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

The motion carried unanimously.

The meeting was adjourned at 5:35 p.m.

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Mayor Everette S. (Rett) Newton

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Elizabeth Lewis, Town Clerk



**Town of Beaufort, NC**

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

**Town of Beaufort Board of Commissioners Regular Meeting  
6:00 PM Monday, November 08, 2021 - Zoom due to the 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 roll.

**PRESENT**

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

Mayor Newton confirmed that everyone was using the updated agenda and announced a change to an item on the agenda. He said that it was brought to their attention, there may be some older documents that could influence the Wastewater Treatment Capacity & Allocation Update, so it has been asked that it be taken off the agenda while the older documents are reviewed.

Commissioner McDonald resolved his connection issues and join the meeting with both audio and video.

**Agenda Approval**

Mayor Newton asked if there was a motion to approve the agenda with the deletion of the number two item, under items for discussion and consideration.

Commissioner Hagle made a motion to approve the agenda.

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

The motion was approved unanimously.

**Public Comment**

There was none.

**Manager Report**

John Day, Town Manager, expressed his appreciation to the members of the Beaufort Fire Department who worked extremely hard in preparation 9S Inspection, through the office of the State Fire Marshall, which was part of the Insurance Service Organization (ISO) rating process. Mr. Day said they do not yet know what rating they will receive but reported they did pass the 9S portion of it and congratulated thanked the Fire Department staff for all the hard work they did throughout the process. Mr. Day welcomed new employee, Laurel Anderson to the Town and said she was the Administrative Support Specialist for Planning & Inspections. Mr. Day said all the positions in Planning & Inspections had been filled and they were glad to have that department fully staffed. Mr. Day ended his presentation by reporting the Shackleford Landing PUD developer had withdrawn the application from consideration and is considering another approach for the future. Mr. Day said he was happy to answer any questions.

Mayor Newton went down the roster for questions.

Commissioner Hagle asked if there were any updates on the hybrid equipment for the Train Depot.

Mr. Day said he had not received any new updates.

Commissioner Hagle asked if it was still expected at the end of December.

Mr. Day said correct.

Commissioner Hagle asked how long it would take to install the equipment.

Mr. Day said he would follow up with the company to make sure they were on the top of their schedule for installation once the equipment is received.

Commissioner Hagle said that was his next question, thank you.

Mr. Day said you are welcome.

Commissioner Hollinshed had no questions.

Commissioner McDonald had no questions.

Commissioner Harker had no questions.

Commissioner Carter had no questions.

**Items of Consent**

1. May 10 & September 13, 2021 Minutes
2. October 11, 2021 Minutes
3. 2022 BOC Meeting Dates
4. FY 2022 Budget Amendment 4

Mayor Newton asked for a motion to approve the consent agenda.

Commissioner Hagle made a motion to approve the consent items.

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

1.

The motion was approved unanimously.

### Items for Discussion and Consideration

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

Mayor Newton reported the numbers had decreased in Carteret County and said the school system had gone to a mask optional mode. Mayor Newton asked if there was any issue with retaining the Emergency Leave Policy Extension.

Commissioner Hagle said retain it like it is.

Commissioner Hollinshed said yes, retain it.

Commissioner McDonald said retain it.

Commissioner Harker said she had no problem with retaining it.

Commissioner Carter said keep it like it is.

2. Wastewater Treatment Capacity & Allocation Update

*Item was removed from the agenda.*

3. Christmas Parade

Rachel Johnson, Parks & Events Coordinator/Public Information Officer, said that the Beaufort Development Association has submitted an application to host the annual Christmas parade on Saturday, December 4<sup>th</sup> at 1:00 pm, following the traditional route up Front Street, and the board's approval is needed.

Mayor Newton asked if there were any questions.

Commissioner Hagle had no questions.

Commissioner Hollinshed said she had no questions and was glad to see it coming back.

Commissioner McDonald had no questions.

Commissioner Harker had no questions.

Commissioner Carter had no questions.

Mayor Newton asked what the pleasure of the board was.

Commissioner Hagle made a motion to approve event.

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

The motion was approved unanimously.

4. Capital Project Ordinances - American Rescue Plan Act

Christi Wood, Finance Director, explained the two Capital Project Ordinances before the board, these are in relation to the work that is planning to be done with the American Rescue Plan Funds. She said the two ordinances include Stormwater & Equipment and Utilities, funds totaling \$1,418,841.02. Ms. Wood explained the Stormwater work was \$60,000; Water Treatment Plant Site Evaluation and Purchase was \$500,000; Sewer Pump Station #7 was \$740,000; and the audio-visual equipment update at the Train Depot for \$20,000. She said there was \$98,000 that has not been budgeted to date, but staff recommends that it be budgeted into the governmental project fund to be used for future projects that are approved with grant funding.

Mayor Newton asked if there were any questions.

Commissioner Hagle had no questions.

Commissioner Hollinshed had no questions.

Commissioner McDonald had no questions.

Commissioner Harker had no questions.

Commissioner Carter had no questions.

Mayor Newton asked what the pleasure of the board was.

Commissioner Harker made a motion to approve the ordinances.

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

The motion was approved unanimously.

**Mayor/Commissioner Comments**

Commissioner Hagle thanked the Fire Department for their good work and successful completion of the State inspections, and he welcomed the new employee to the Town. He said it was great to see the continuous improvements on the streets and various projects go on. He ended with a few safety messages; be careful

when you are out and about and walking around, as there are many branches other debris from recent high winds that could cause a fall. He said falls were one of the leading causes of non-fatal injuries in the U.S.; to make your home safer inside, also look for tripping hazards such as cords or other items. He also reminded everyone to focus on their driving, do not be distracted, as there are about 40,000 deaths in the U.S. annually due to traffic accidents.

Commissioner Hollinshed said she was notified that there were several cars on Ann Street who were parked across from the "no parking" zone that were ticketed over the weekend. She said she had not investigated it with the Police Department, but it had been a traditional to park across the street from churches, all three of them within the two blocks. She asked for a comment on it, please.

Paul Burdette, Chief of Police, said that it had been addressed with the officer and apologized for the miscommunication; he said that the issues brought to their attention have been resolved.

Commissioner Hollinshed said if that was going to be the policy moving forward, it would be nice to have a heads up on it, thank you.

Commissioner McDonald said he would like to take this opportunity to say to the newly elected Mayor and two Commissioners, they ran an excellent campaign. He said that he had looked forward to working with a new Commissioner and Mayor, however the citizens of Beaufort did not see it that way, but we must move forward, and we must do the right thing. He ended by saying he would do his part in anything he could to help the Town of Beaufort and the citizens of Beaufort.

Commissioner Harker congratulated the Fire Department in passing their inspections and welcomed Laurel Anderson on board, saying it is always good to have a new staff member come on to help make the Town's services great. She said she was looking forward to the Christmas Parade and would like to thank in advance the many staff members who participate and volunteer to help make the Christmas Parade a success, she said these people come in on their days off and she just wanted to let them know it does not go unnoticed. Commissioner Harker said there was a great turn out during the election cycle, with many voters coming out to vote for the leaders they felt would best represent the Town as a whole. She said she was humbled and honored to be elected as Mayor, and she takes the job with great seriousness; being the first African American to serve in the Town's 308-year history is a historic moment, and one she will cherish for the rest of her life. She also said she wanted to congratulate the two new Commissioners that will be coming on board: Charles "Bucky" Oliver and Melvin Cooper. She said she looks forward to seeing who will take her place. She ended by saying she will cherish the time she has spent with Commissioner McDonald, as she stands on the shoulders of his greatest, because without his leadership she would not be here.

Commissioner Carter congratulated the winners of the election and said she looked forward to them picking up the load and carrying it on; she said she thought they would do it quite well. She said they had not received any information about the disposition of the water bills and asked when they would be getting something.

Mr. Day said they would be getting it in a day or two.

Commissioner Carter said they needed to make some decisions on that.

Mr. Day said it would be put on the agenda for the work session.

Mayor Newton said he would like to echo the congratulations to the newly elected officials. He thanked the Board of Elections, and referenced Caitlin Sabadish's leadership, as well as all the volunteers, who do such a great job during the election times.

**Adjourn**

Mayor Newton asked for a motion to adjourn.

Commissioner Hagle made the motion.

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

The motion was approved unanimously. The meeting was adjourned at 6:22 p.m.

\_\_\_\_\_  
Mayor Everette S. (Rett) Newton

\_\_\_\_\_  
Elizabeth Lewis, Town Clerk



**Town of Beaufort, NC**

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

**Board of Commissioners  
Virtual Regular Meeting  
6:00 PM – Monday, Dec. 13, 2021**

**AGENDA CATEGORY:** Items of Consent  
**SUBJECT:** Lions Club Bridge Run 2022

**REQUESTED ACTION:** Consider the event application for the 2022 Lions Club Bridge Run. They have requested to host the event on Saturday, Nov. 5, 2022. The 5K run involves road closures on Turner Street, Middle Lane and one lane of the high-rise bridge. Race routes are attached. The organizers bring in cones and assist with traffic control. This event requires 5 police officer for 3 hours each at the Hire an Officer Rate. The applicant would like to receive approval of the 2022 event by January 1, so they can begin the planning process and work with NCDOT to ensure all approvals are in place well in advance of the 2022 event.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Rachel Johnson, Parks & Events Coordinator

**BUDGET AMENDMENT REQUIRED:** No



BEAUFORT LIONS FOUNDATION  
TOWN OF BEAUFORT  
EVENT APPLICATION

*For the 2022 Beaufort Bridge Run  
5K & 1+ Mile Dog Strut*

Date Application Received:

2.

Permit Number:



## APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Events Coordinator, Town of Beaufort

701 Front Street

P.O. Box 390

Beaufort, NC 28516

Phone: (252) 728-2141 Email: [r.johnson@beaufortnc.org](mailto:r.johnson@beaufortnc.org)

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

## EVENT BASICS

Event Name: BEAUFORT BRIDGE RUN 5K + 1+ MILE DOG STRUT

Location of Event Site: FRONT/TURNER STREETS TO GRAYDEN PAUL BRIDGE

(If more than one site is being requested please be specific and list each one individually below)

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Run by: BEAUFORT NC LIONS CLUB

Applicant (Organizer) Name: DAVID DALY Contact # 919.270.8071

Day of Event Contact #: 919.270.8071 Email: DAVIDRDALY@gmail.com

Type of Event:

- Festival
- Parade
- 5K Race
- 10K Race

- Music Event
- Other \_\_\_\_\_

Actual Event Date(s): 11-5-2022 Time of Event: 8:00 AM  
 Set-Up Date: 11-5-2022 Start Time: 6:00 AM  
 Tear Down Date: 11-5-2022 End Time: 9:30 AM  
 Estimated Attendance: 250-300 Admission Fees: \$30.00 - \$35.00

Event Description:  
THE BEAUFORT BRIDGE RUN 5K + 1 MILE DOG STIZUT ARE THE PRIMARY FUNDRAISING EVENTS FOR THE BEAUFORT NC LIONS CLUB. FUNDS RAISED ARE DISTRIBUTED TO LOCAL CHARITABLE GROUPS IN BEAUFORT AND CARTERET COUNTY.

**ORGANIZER/APPLICANT INFORMATION**

Name of Organization: BEAUFORT NC LIONS CLUB  
 Primary Contact Person: DAVID DALY  
 Mailing Address: 218 GORDON STREET, BEAUFORT, NC 28516  
 Email: DAVIDRDALY@gmail.com  
 Daytime Phone #: 919.270.8071 Cell Phone #: 919.270.8071  
 Alternate Contact Person: DOUG DOUBLEDAY Phone #: 607.761.0727  
 Is your group a non-profit organization? YES If yes, please provide documentation with your application.

**SITE PLAN**

Site Plan Attached  
 Yes  
 No  
 (If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

## PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- East Parking Lot
- West Parking Lot
- Craven Street Parking
- Middle Lane
- John Newton Park
- Lynn Eury Park
- Grayden Paul Park
- Topsail Marine Park
- Other Please list: \_\_\_\_\_

**Specific Requirements:** (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

1-2 TRASH CANS

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### OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

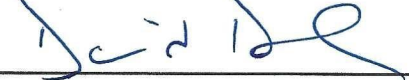
PSG TRAFFIC SERVICES, 2821 N. KERR AVENUE, WILMINGTON, NC 28405  
SALES@PSGTRAFFICSERVICES.COM, 910.821.1720

Will there be canon/re-enactment fire during your event? NO If yes, please coordinate with the Beaufort Fire Department for safety procedures.

### ALCOHOL

Alcohol at the event YES \_\_\_ NO  Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$35 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

*I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.*

X  (Applicant's Signature)

### ROAD CLOSURES

Does your event require a road closure?  YES \_\_\_ NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
<u>TURNER STREET</u>	<u>7:00-8:00 AM</u>	<u>8:00 AM</u>	<u>9:30 AM</u>	<u>9:30 AM</u>
<u>MIDDLE LANE</u>	<u>7:00-8:00 AM</u>	<u>8:00 AM</u>	<u>9:30 AM</u>	<u>9:30 AM</u>

*If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.*

**Emergency Vehicle Access Requirements:** A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

# PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Bicycle Parking: Yes \_\_\_\_\_ No

Additional Handicap Parking: Yes \_\_\_\_\_ No  Location: \_\_\_\_\_

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

EVENT ATTENDEES WILL PARK ON THEIR OWN IN TOWN LOTS AND SPACES

# PARADE/WALK INFORMATION

Parade Assembly Area: TURNER ST. + MIDDLE LN Time: 7:45AM  
Parade Dismissal Area: TURNER ST. + MIDDLE LN Time: 9:00-9:30AM  
Parade Start Time: 8:00AM

# EMERGENCY MANAGEMENT

Route Map Attached:  YES \_\_\_\_\_ NO (Please note a route map is required)

Designated Emergency personal/liason (onsite): DOUG DOUBLEDAY

Cell #: 607.761.0727 Other Contact: DAVID DALY

How will your event staff react to severe weather?

IN THE EVENT OF HAZARDOUS OR DANGEROUS WEATHER, THE SK/DOG STREET WILL BE RESCHEDULED OR CANCELLED.

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

A SOUND SYSTEM - MICROPHONE, SPEAKERS, BULLHORN - WILL BE USED TO ALERT PARTICIPANTS, VOLUNTEERS AND SPECTATORS.

**RISK ASSESSMENT**

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

WEATHER IS OUR PRIMARY RISK. THE 2021 EVENT WAS CHALLENGING WITH WINDY CONDITIONS, HOWEVER NO ADVERSE EFFECTS WERE FELT. TRAFFIC IS A CONCERN. WE WILL HAVE PROFESSIONAL TRAFFIC CONTROL THROUGHOUT THE COURSE.

What training will you provide to your volunteers/staff/participants regarding emergencies?

DETAILED TRAINING WILL BE PROVIDED TO ALL LIONS CLUB MEMBERS AND VOLUNTEERS. THOSE TRAINED WILL BE READY TO INFORM ALL IN ATTENDANCE OF EVACUATION ROUTES AND SAFE HAVENS SHOULD AN EMERGENCY ARISE.

**TENTS**

Will you have tents at your event?  YES  NO

Please list the tent sizes: \_\_\_\_\_

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact Tammy Turek at (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at [www.beaufortnc.org](http://www.beaufortnc.org).

**FOOD**

Will there be food served at your event?  YES  NO

If yes, please provide a detailed list of all food vendors.

If yes, have you contacted the Carteret County Health Department to set up inspections?  YES  NO

All food vendors must have proper licensing, inspections, etc.

# VENDORS

Will there be vendors selling items at your event? \_\_\_\_\_ Yes  No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

# CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- Tent Permit
- Detailed Site Plan
- Detailed Route Map (Parade/5K/10K)
- Map of Road Closures
- ABC Permit
- Health Inspection Documentation
- Insurance
- Non-profit documentation
- Private property parking permission letter
- List of food vendors
- List of vendors
- Application Fee
- Application Signature

I/We the event organizer DAVID DALY, on behalf of BEAUFORT NC VIOUS CWB, the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicaht and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature David Daly Date 11-10-2021

**Internal Use Only**  
 Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.

Permit Issue Date: \_\_\_\_\_  
 Authorized Signature: \_\_\_\_\_

Insurance Certificate: Yes \_\_\_ No \_\_\_  
 Permit Fee: Yes \_\_\_ No \_\_\_  
 BOC Approval Date: \_\_\_\_\_  
 Police Chief Approval: \_\_\_\_\_  
 Fire Chief Approval: \_\_\_\_\_

SOSID: 1446464  
Date Filed: 5/19/2015 2:11:00 PM  
Elaine F. Marshall  
North Carolina Secretary of State  
C2015 121 02071

State of North Carolina  
Department of the Secretary of State

ARTICLES OF INCORPORATION  
NONPROFIT CORPORATION

Pursuant to §55A-2-02 of the General Statutes of North Carolina, the undersigned corporation does hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation.

1. The name of the nonprofit corporation is: Beaufort Lions Club

2.  (Check only if applicable.) The corporation is a charitable or religious corporation as defined in NCGS §55A-1-40(4).

3. The name of the initial registered agent is: Dot Crumley

4. The street address and county of the initial registered agent's office of the corporation is:

Number and Street: 108 Ricks Ave  
City: Beaufort State: NC Zip Code: 28516 County: Carteret

The mailing address if different from the street address of the initial registered agent's office is:

Number and Street or PO Box: PO Box 876  
City: Beaufort State: NC Zip Code: 28516 County: Carteret

5. The name and address of each incorporator is as follows:

Dot Crumley 108 Ricks Ave Beaufort NC 28516

6. (Check either a or b below.)  
a.  The corporation will have members.  
b.  The corporation will not have members.

7. Attached are provisions regarding the distribution of the corporation's assets upon its dissolution.

8. Any other provisions which the corporation elects to include are attached.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/19/2021

2.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  DSP Insurance Services, Inc. 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	
	PHONE (A/C, No, Ext): 1-800-316-6705	FAX (A/C, No): 847-934-6186
E-MAIL ADDRESS: lionsclubs@dspins.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : ACE American Insurance Company		22667
INSURER B :		
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

INSURED  
  
Beaufort NC Lions Club  
Beaufort North Carolina

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			HDOG72484757	09/01/2021	09/01/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 10,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH25550596	09/01/2021	09/01/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

Provisions of the policy apply to the named insured's participation in the following activity during the policy period shown above: Beaufort Bridge Run 5K & 1+ Mile Dog Strut, 11-06-2021  
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES.

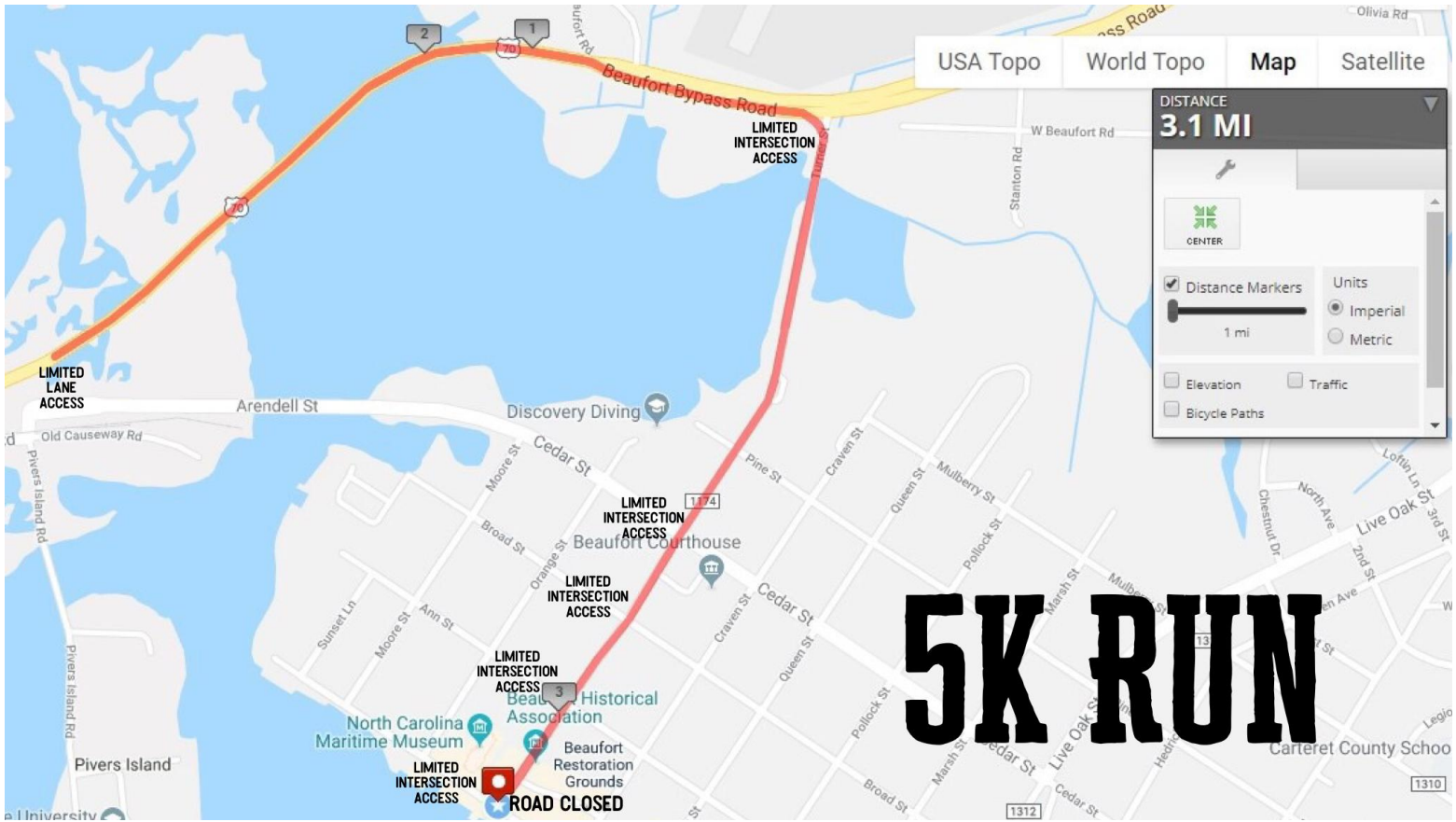
**CERTIFICATE HOLDER**

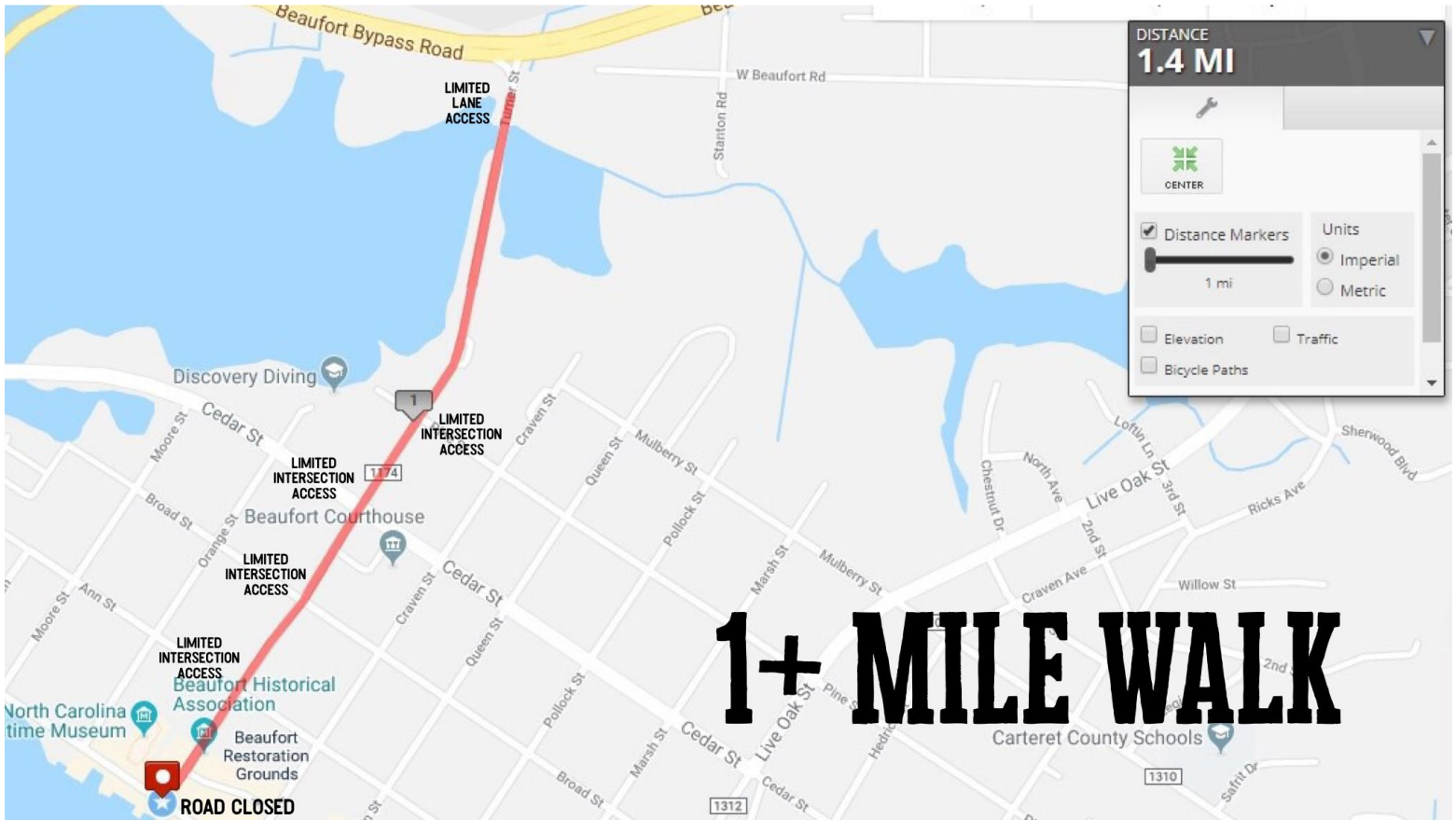
State of North Carolina, North Carolina Department of Transportation  
P.O Box 1587  
Greenville North Carolina 27835-1587

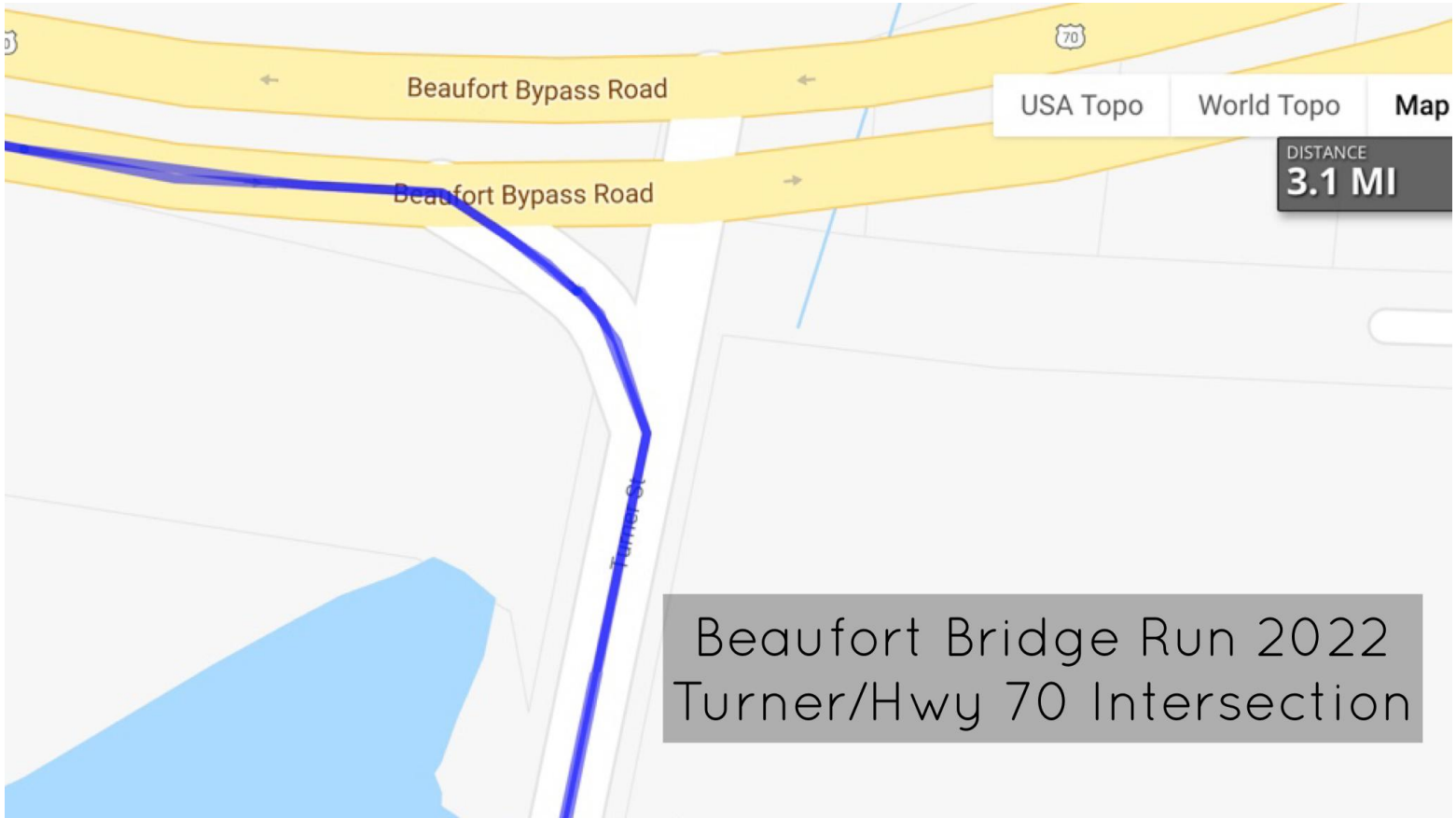
**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

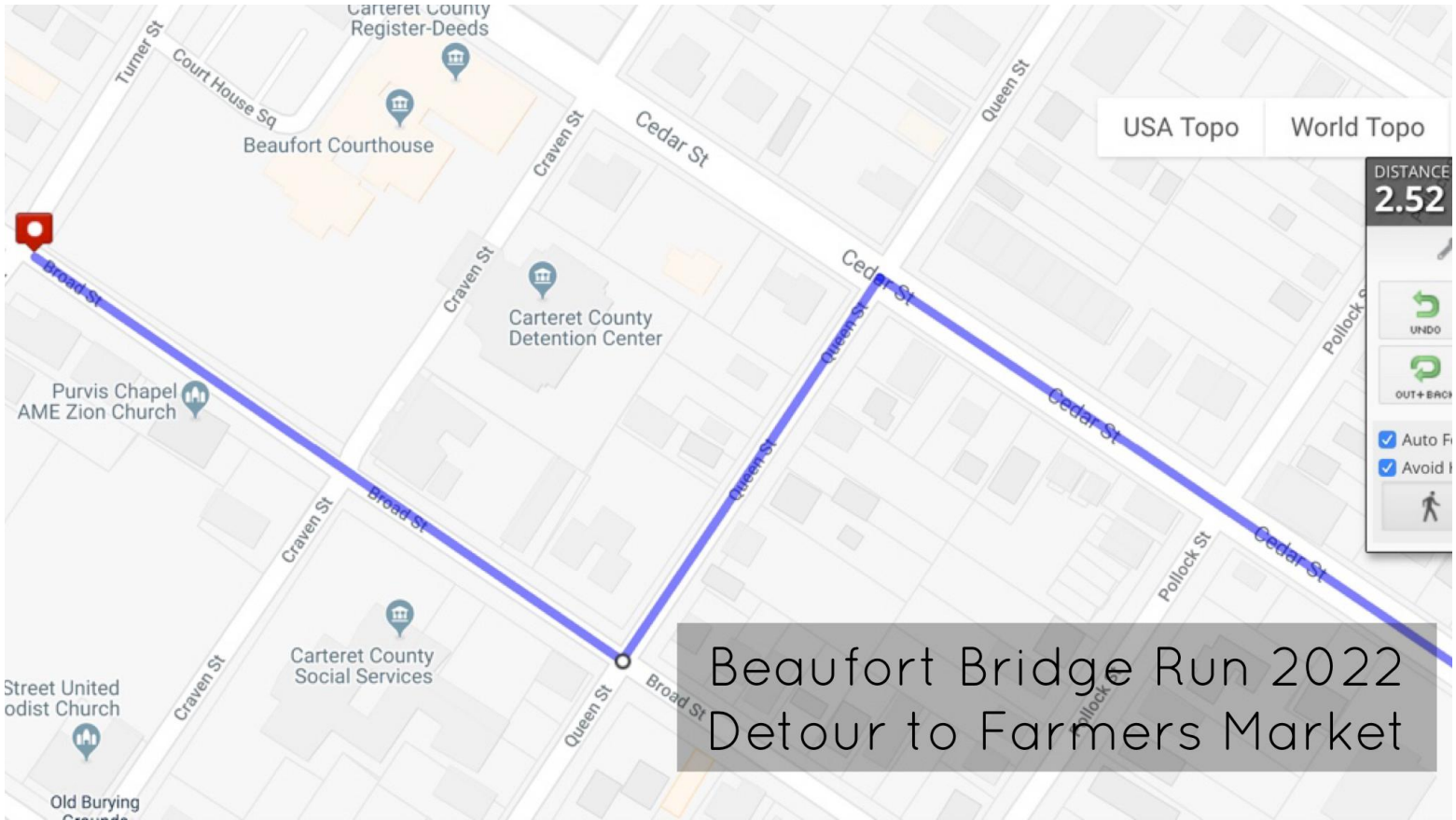
AUTHORIZED REPRESENTATIVE



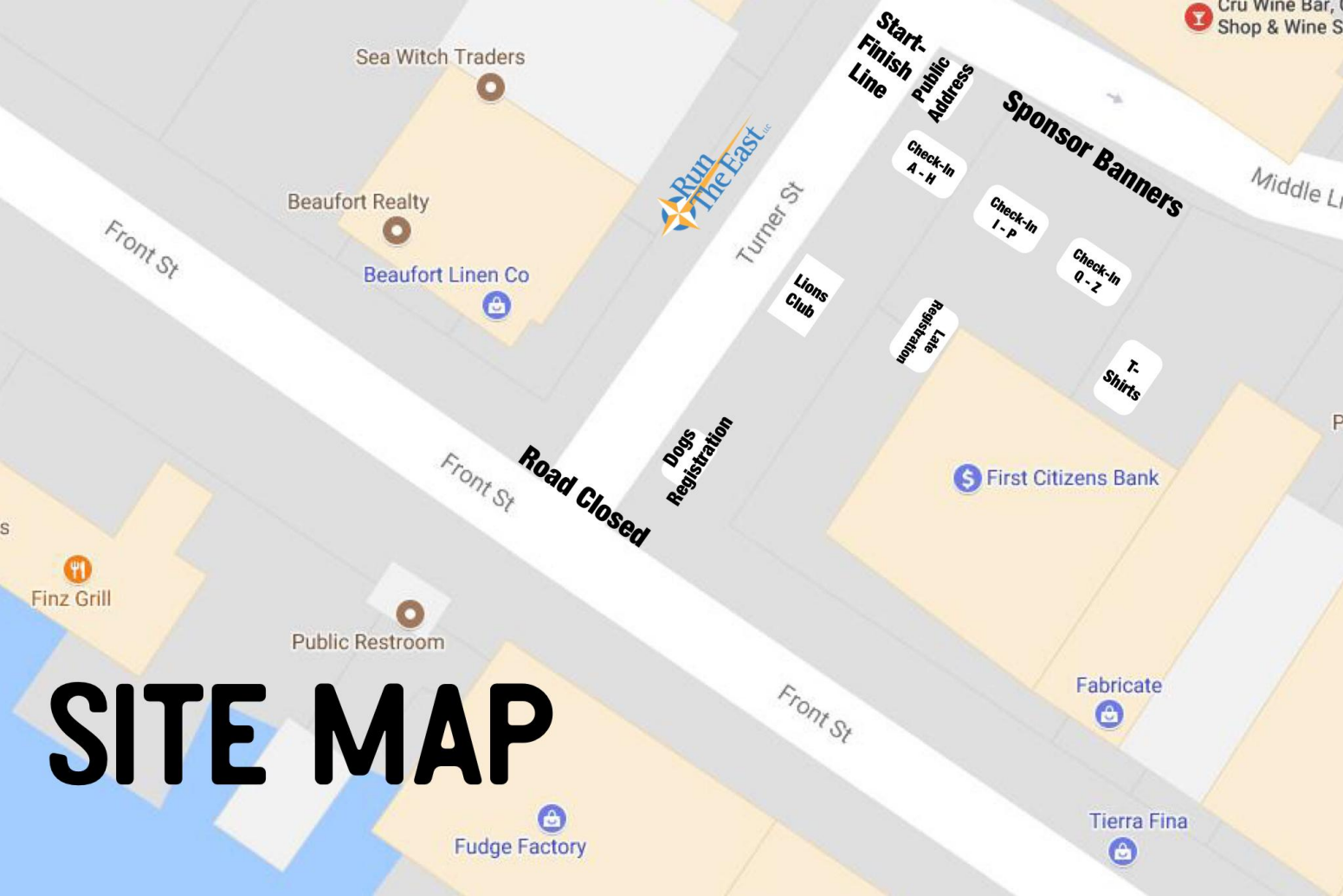








Beaufort Bridge Run 2022  
Detour to Farmers Market





**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  
Virtual Regular Meeting  
6:00 PM – Monday, December 13, 2021**

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

**BRIEF SUMMARY:**

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.

At the October 25, 2021 Work Session, the BOC agreed that the virtual platform is the best meeting method until the hybrid equipment is delivered and installed at the Train Depot. The selected vendor has provided an estimated shipping date of late December, as the hybrid equipment is currently on back order.

**REQUESTED ACTION:**

Discuss returning to in-person meetings further.

**EXPECTED LENGTH OF PRESENTATION:**

5 minutes

**SUBMITTED BY:**

Mayor Harker & Elizabeth Lewis, Town Clerk

**BUDGET AMENDMENT REQUIRED:**

No



**Town of Beaufort, NC**

**Board of Commissioners  
Virtual Work Session Meeting  
6:00 PM Monday, December 13, 2021**

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**AGENDA CATEGORY:** Items for Discussion and Consideration

**SUBJECT:** Delinquent Utility Accounts

**BRIEF SUMMARY:**

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. Also, the Town has great flexibility in structuring payment plans for past due accounts.

At the November 22 Work Session the Board decided by consensus to consider the creation of a utility assistance grant program similar to that used in Durham for those with delinquent accounts. Information regarding the Durham program is attached for the Board's consideration.

The Board also directed staff to re-establish collection efforts and implementing payment plans with those who have delinquent accounts in January.

**REQUESTED ACTION:**

Provide staff direction with regard to the possible creation of a utility assistance grant program funded by ARPA.

**EXPECTED LENGTH OF PRESENTATION:**

5 minutes

**SUBMITTED BY:**

John Day, Town Manager

**BUDGET AMENDMENT REQUIRED:**

Possibly

# NCDHHS Announces New Program to Help Families Pay Water Bills

Raleigh  
Nov 30, 2021

The North Carolina Department of Health and Human Services today announced the State of North Carolina has been awarded more than \$38 million in federal funding to establish a new water assistance program for households affected by the COVID-19 pandemic.

Beginning Wednesday, eligible households that have had their water services cut off or have received notice that their water services are in danger of being cut off can apply for assistance in paying their bill through a new federal program called the [Low-Income Household Water Assistance Program](#) (LIHWAP).

LIHWAP is a temporary emergency program that will help eligible households and families afford water and wastewater services. The program provides a one-time payment for eligible low-income households directly to the utility company. LIHWAP runs through September 2023 or until the funds run out.

"Due to the pandemic and its impact on our economy, many households are struggling to maintain their water service," said Tara Myers, NCDHHS Deputy Secretary for Employment, Inclusion and Economic Stability. "The LIHWAP program will help families in North Carolina keep their water running, a basic human need that's critical for good sanitation and better health."

Households that currently receive Food and Nutrition Services (FNS), Temporary Assistance for Needy Families (TANF) or Work First services, or those that received Low-Income Energy Assistance Program (LIEAP) services between Oct. 1, 2020, and Sept. 30, 2021, are automatically eligible to receive this benefit if their water services have been cut off or are in danger of being cut off.

All other households that have had their water services or are in danger of losing it can apply starting Dec. 1, 2021, online at [epass.nc.gov](https://epass.nc.gov). Individuals can also apply by printing a paper application from [epass.nc.gov](https://epass.nc.gov) and dropping it off at or faxing it to their local county Department of Social Services or by calling their local county Department of Social Services to apply by phone.

Beginning Jan. 1, 2022, all households that are not in danger of having their water service cut off can apply for assistance if they meet the eligibility requirements. To be eligible for the LIHWAP program, a household must have at least one U.S. citizen or non-citizen and:

- Have income equal to or less than 150% of the federal poverty level,

- Have household services that are disconnected, in jeopardy of disconnection or have a current outstanding bill, and
- Be responsible for the water bill

Households can apply starting Wednesday through Sept. 30, 2023, or until funds are exhausted.

For more information on this program and eligibility, visit the LIHWAP website at [www.ncdhhs.gov/divisions/social-services/energy-assistance/low-income-household-water-assistance-program-lihwap](http://www.ncdhhs.gov/divisions/social-services/energy-assistance/low-income-household-water-assistance-program-lihwap).



### Form Center

- [If you are looking for Inspections Forms, CLICK HERE.](#)

By [signing in or creating an account](#), some fields will auto-populate with your information and your submitted forms will be saved and accessible to you.

## Water Hardship Fund

---

### City of Durham - Water Hardship Fund

Are you are struggling to pay your water bill? The City would like to help through the Water Hardship Fund. The Fund is part of a program administered by the Durham County Department of Social Services to help residents pay their past-due water bills. It cannot be used for penalties and fees. Through a simple online process, you can apply for up to \$240 in assistance per year if you are having a documented hardship, have past-due bills, and are in danger of having your water cut off. If you think you might qualify, please complete the Water Hardship Fund application form. If contacted, you may be asked to provide identification, proof of income, a copy of your water bill, and other information.

Name on Water Bill:\*

Your Name:\*

Address on Water Bill:\*

**Account Number on Water Bill:\***

**Primary Phone Number:\***

**Email Address:\***

**Is this hardship related to the COVID-19 pandemic?\***

- Yes
- No

**What is causing the hardship you are currently experiencing? (Select all that apply.)\***

- Unexpected high bill due to a leak
- Unemployment / Job loss
- Personal or Family illness
- Unexpected / Emergency Expenses
- Other

**Is the hardship temporary or ongoing?\***

**What is your current water status?\***

- Turned Off
- Past Due and in Jeopardy of being turned off

**What is your current balance due?\***

---

**Internal Use Only**

Receive an email copy of this form.

**Email address**

This field is not part of the form submission.

\* indicates a required field

 Government Websites by CivicPlus®



**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  
Virtual Regular Meeting  
6:00 PM- Monday, Dec. 13, 2021**

---

**AGENDA CATEGORY:** Public Hearing  
**SUBJECT:** Case # 21-25 Staff Initiated Rezoning Eastern Avenue from TCA to B-1

**BRIEF SUMMARY:**

Rezoning five lots totaling 1.78 acres or 77,363 sq. ft. and a portion of another lot totaling 1.87 acres or 81,432 sq. ft. on Eastern Avenue from TCA to B-1

**REQUESTED ACTION:**

Conduct Public Hearing and make a decision on rezoning request.

**EXPECTED LENGTH OF PRESENTATION:**

10 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:** 11/16/2021  
**Meeting Date:** 12/13/2021

## Case Number 21-25

### Summary of Request:

Rezone five lots totaling 1.78 acres or 77,363sq.ft. and a portion of another lot totaling 1.87 acres or 81,432 sq. ft. on Eastern Avenue from TCA to B-1

### Background

#### Location(s) & PIN

730612957560000, 730612958620000, 730612958698000, 730612959746000, 731609050824000, 731609062012000 (Portion of))

#### Owners Applicant

Bill Rice & Jean Wellons  
Town of Beaufort – Staff Initiated

#### Current Zoning

TCA Zoning

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

All Lots are conforming

#### Existing Land Use

Commercial – Seafood Retail & Vacant Property

#### Adjoining Land Use & Zoning

**North** State Employees Credit Union – B-1  
**South** Taco Bell – B-1  
**East** Beaufort Townes Apartments - TCA  
**West** Undeveloped Property along Live Oak – B-1

#### Special Flood Hazard Area

Yes  No

#### Public Utilities

Water  Available  Not Available  
Sewer  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

**Project Comments**

Recently one of the property owners brought to staffs attention that they were a little confused at the zoning of property along Eastern Avenue as to why the entire area was zoned as TCA (Formally RMF – Residential Multi-Family) as their records showed only the eastern portion of Eastern Avenue as zoned for Multi-family and the west side as B-1 Commercial.

After conducting some research the property owners were right as the attached Rezoning Application from 1998 showed only the eastern side of Eastern Avenue being rezoned to RMF and the western side remaining as B-1. Staff also has included former zoning maps as exhibits showing the property as B-1 on the Western side.

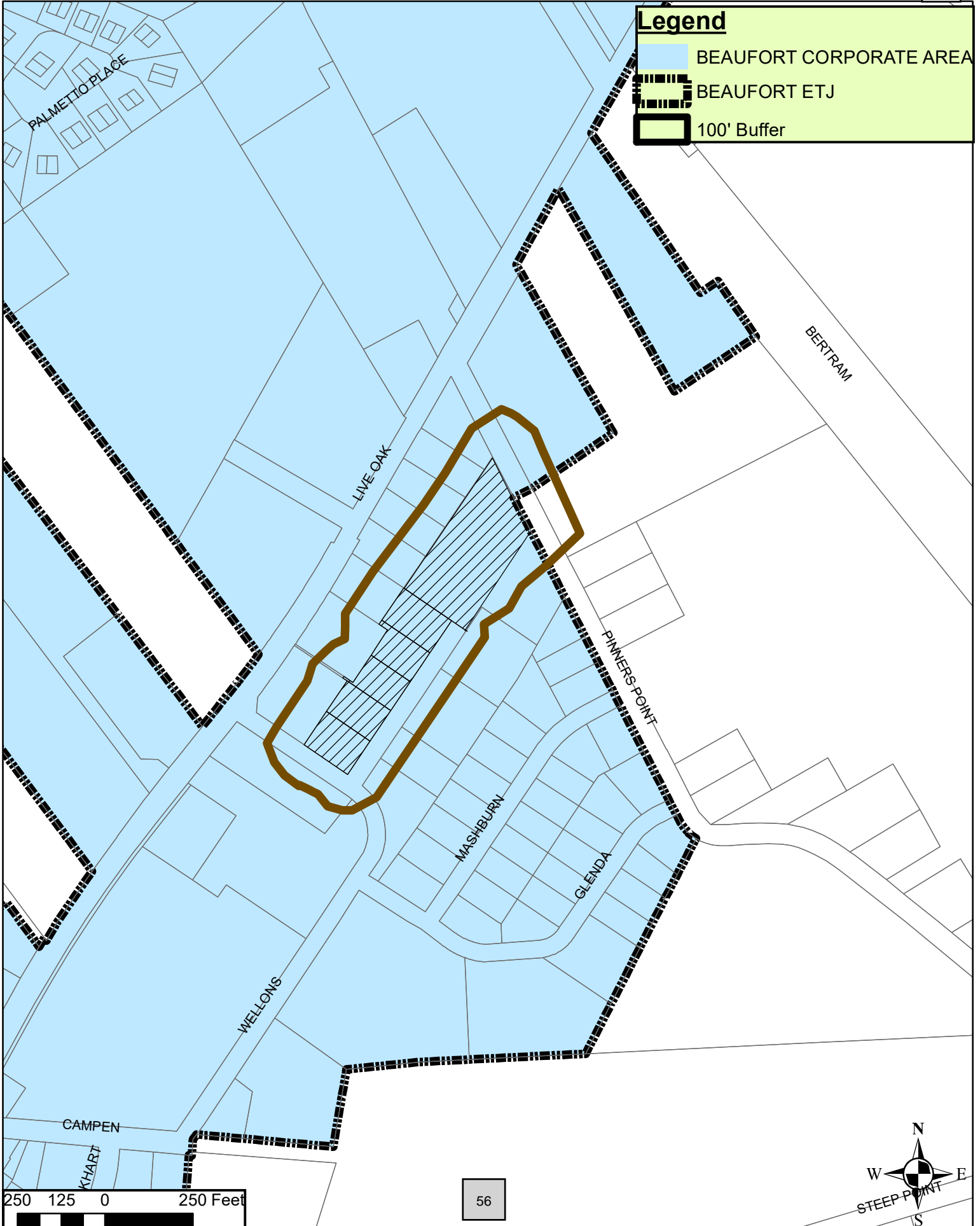
Staff also consulted the Town Attorney in this process, who recommended that Staff bring this back before the Planning Board and Board of Commissioners even though it may be considered as a housekeeping item.

**Planning Board Recommendation** – After conducting a public hearing and some discussion, the Planning Board unanimously recommended approval of the rezoning request.

- Attachments:**
- Attachment B - Vicinity Map with 100' Notification Buffer
  - Attachment C – Current Zoning Map
  - Attachment D – Historic Zoning Map – From 1998
  - Attachment E - Owners within 100 feet - Notified
  - Attachment F – 1998 Rezoning Application with Map
  - Attachment G - Zoning Map 1992-2001
  - Attachment H - Zoning Maps 2001-2008
  - Attachment I - Proposed Zoning Map Ordinance

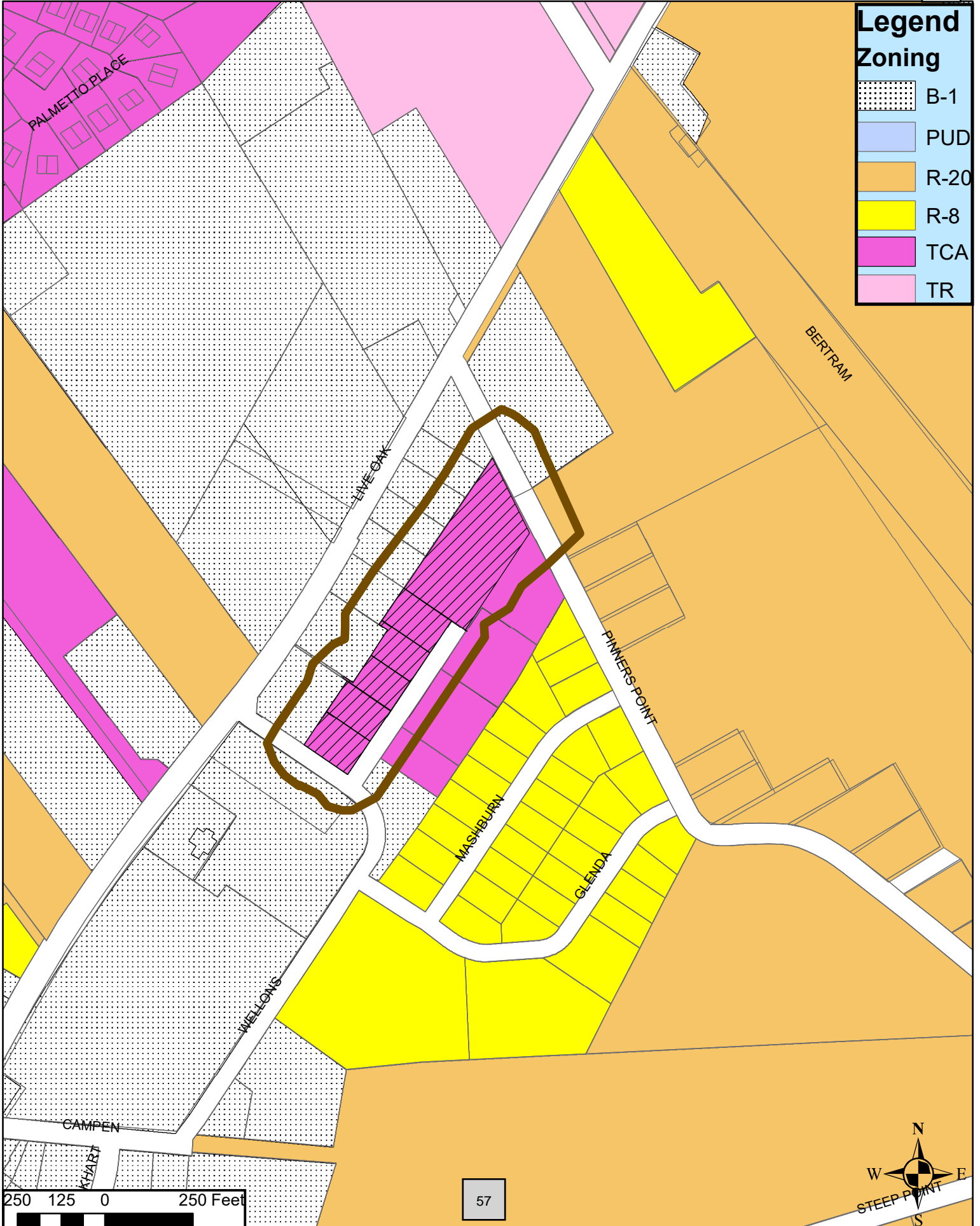
# Vicinity Map - Case 21-25 -Eastern Avenue Rezoning From TCA to B-1

1.



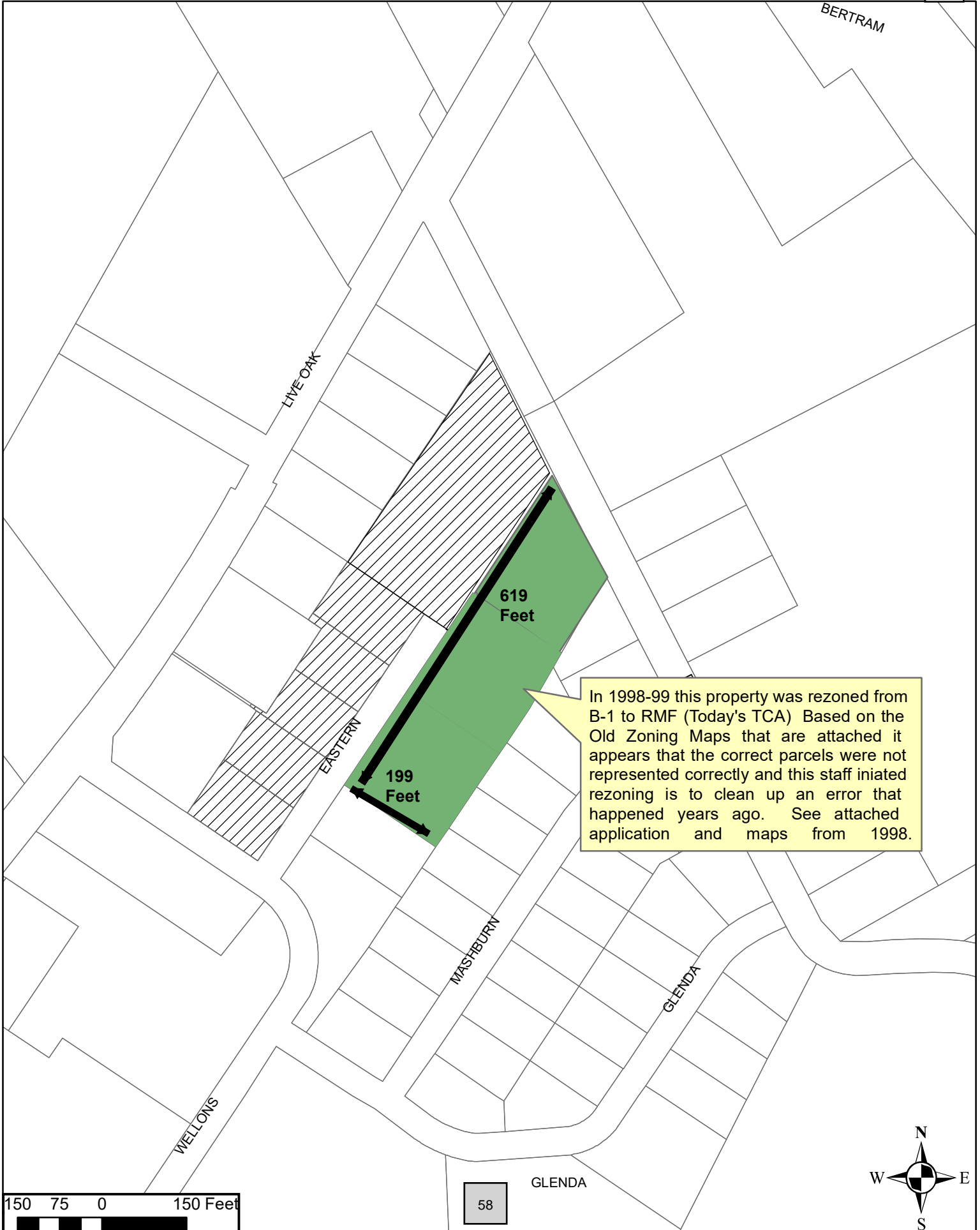
# Zoning Map - Case 21-25 -Eastern Avenue Rezoning From TCA to B-1

1.

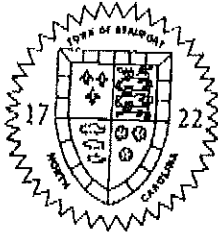


Legend	
Zoning	
	B-1
	PUD
	R-20
	R-8
	TCA
	TR

# Historic Zoning Map 1998-1999 B-1 to TCA



<u>OWNER</u>	<u>MAIL_HOUS</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST</u>	<u>MAIL_ZIP</u>	<u>MAIL_ADD2</u>
4 SISTERS-00 LLC			MOREHEAD CITY	NC	28557	PO BOX 1018
C G W INC			MOREHEAD CITY	NC	28557	PO BOX 1018
DOLGENCORP INC	100	MISSION RIDGE	GOODLETTSVILLE	TN	37072	
HAGAN FAMILY PROPERTIES LLC	3968	DR M L KING BLVD	NEW BERN	NC	28562	
HARMELINK,DALE A ETUX JUDITH	1703-A	FRONT STREET	BEAUFORT	NC	9307 28516	
JEAN R WELLONS LLC			MOREHEAD CITY	NC	28557	PO BOX 1018
PINER,NANCY NELSON	141	SHELL LANDING RD	BEAUFORT	NC	28516	
RICE,WILLIAM C ETUX SAMANTHA O	266	STEWART DR	BEAUFORT	NC	28516	
STATE EMPLOYEES CREDIT UNION			RALEIGH	NC	27611	PO DRAWER 26807
TRADE LAND COMPANY LLC	539	SOUTH MAIN STREET	FINDLAY	OH	45840	
WELLONS GRANDCHILDREN LLC	30251	BRIDGES STREET	MOREHEAD CITY	NC	28557	
WEST,PEARL G TRUSTEE	231	PINNERS POINT ROAD	BEAUFORT	NC	28516	



# Town of Beaufort

P.O. BOX 390 • BEAUFORT, NORTH CAROLINA 28516-0390  
TELEPHONE (919) 728-2141 • FAX (919) 728-3982

## APPLICATION FOR CHANGE OF ZONING IN THE TOWN OF BEAUFORT PLANNING AREA

Burnette Arch. & Planning, P.A., 320 Salter Path Rd., Pine Knoll Shores, NC 28512  
(Applicant) (Complete Mailing Address)

Calvin G. Wellons, PO Box 1018, Morehead City, NC 28557  
(Property Owner) (Complete Mailing Address)

I (we), the undersigned applicant(s), do hereby respectfully make application and request the Town of Beaufort Planning Board to rezone as requested, and in support of this application the following facts are shown:

1. The property requested to be rezoned is located: (complete address)

Eastern Avenue, Beaufort, NC 28516

And is known as lot(s) No. 2 of Block B. Lot size: 39,735.9 S.F. and 73,861 S.F.  
and remainder of tract to the northeast.

Tax Parcel / Pin # 730612956119. It has a frontage of 619 feet

and a depth of 199.0 feet. Total acre(s): 2.61

2. The property sought to be rezoned is owned by: Calvin Wellons  
As evidenced by deed from H.C. Keeter, Sr. as recorded in  
Book 420 Page 272 of the Registry of Deeds of Carteret County.

3. It is desired and requested that the above described property be rezoned:

From B-1 zoning classification, to RF zoning classification.

4. Public water x is, \_\_\_\_\_ is not available to the above described property.

5. Public sewer x is, \_\_\_\_\_ is not available to the above described property.

6. The zoning change will have the following impacts on the below listed community facilities and services:

- (a) Public water: \_\_\_\_\_
- (b) Public sewer: \_\_\_\_\_
- (c) Streets: \_\_\_\_\_
- (d) Refuse collection: \_\_\_\_\_
- (e) Fire protection: \_\_\_\_\_
- (f) Police protection: \_\_\_\_\_
- (g) Recreation facilities: \_\_\_\_\_
- (h) Other: \_\_\_\_\_

7. The applicant shall attach a list (including mailing addresses) of all adjoining property owners, individuals, firms, businesses, or corporations owning property within (100) feet in any direction including property in front (across street or highway).

8. The applicant shall attach an accurate diagram of the property proposed for rezoning showing:

- (a) North arrow and all property lines and accurate property line dimensions.
- (b) Location of all easements, right of way, storm sewers, paving widths, and street names.
- (c) Location of all structures.
- (d) Zoning classification of all property within eight-hundred (800) feet of the property sought to be rezoned.

9. The applicant shall attach a comprehensive site plan (if required).

10. The applicant shall attach a written legal description of the property.

11. Rezoning Fee \$100.00 Date Fee Paid: November 4, 1998

Applicant Signature(s): Kenneth A. Bunt Date: 14 Dec. 1998

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

(An incomplete application will result in a delay of consideration.)

# Town of Beaufort

215 Pollock Street  
PO. Box 390 Beaufort, North Carolina 28516-0390  
Telephone (252) 728-2141 Fax (252) 728-3982

March 9, 1999

Mr. Calvin Wellons  
P.O. Box 1018  
Morehead City, NC 28557

RE: Rezoning - from B-1 to R-MF

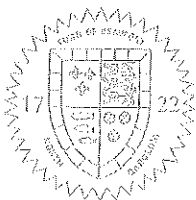
Dear Mr. Wellons:

I am writing to inform you that the Board of Commissioners, at their regular meeting on March 8, 1999, approved the rezoning of 2.61 acres from B-1 to R-MF parcel 730612956119 located on Eastern Avenue just off Wellons Drive.

I have attached a copy of the table of permitted uses. Should you have any questions or need additional information, please feel free to give me a call.

Sincerely,  
*Vicki Dudley*  
Vicki Dudley  
Town Clerk

Enclosure



# **Burnette Architecture & Planning, P.A.**

**320 Salter Path Road  
Pine Knoll Shores, North Carolina 28512**

**252-726-5387  
Fax 252-247-3823**

1.

July 6, 1998

## **Legal Description of Property**

The property is described as Lot No. 2, Block B, as shown on approved subdivision map (attached), labeled "Eastern Avenue", dated 9/30/98, as prepared by Stroud Engineering, P.A., Morehead City, N.C.



# BRANDT, D.C. ZONING MAP

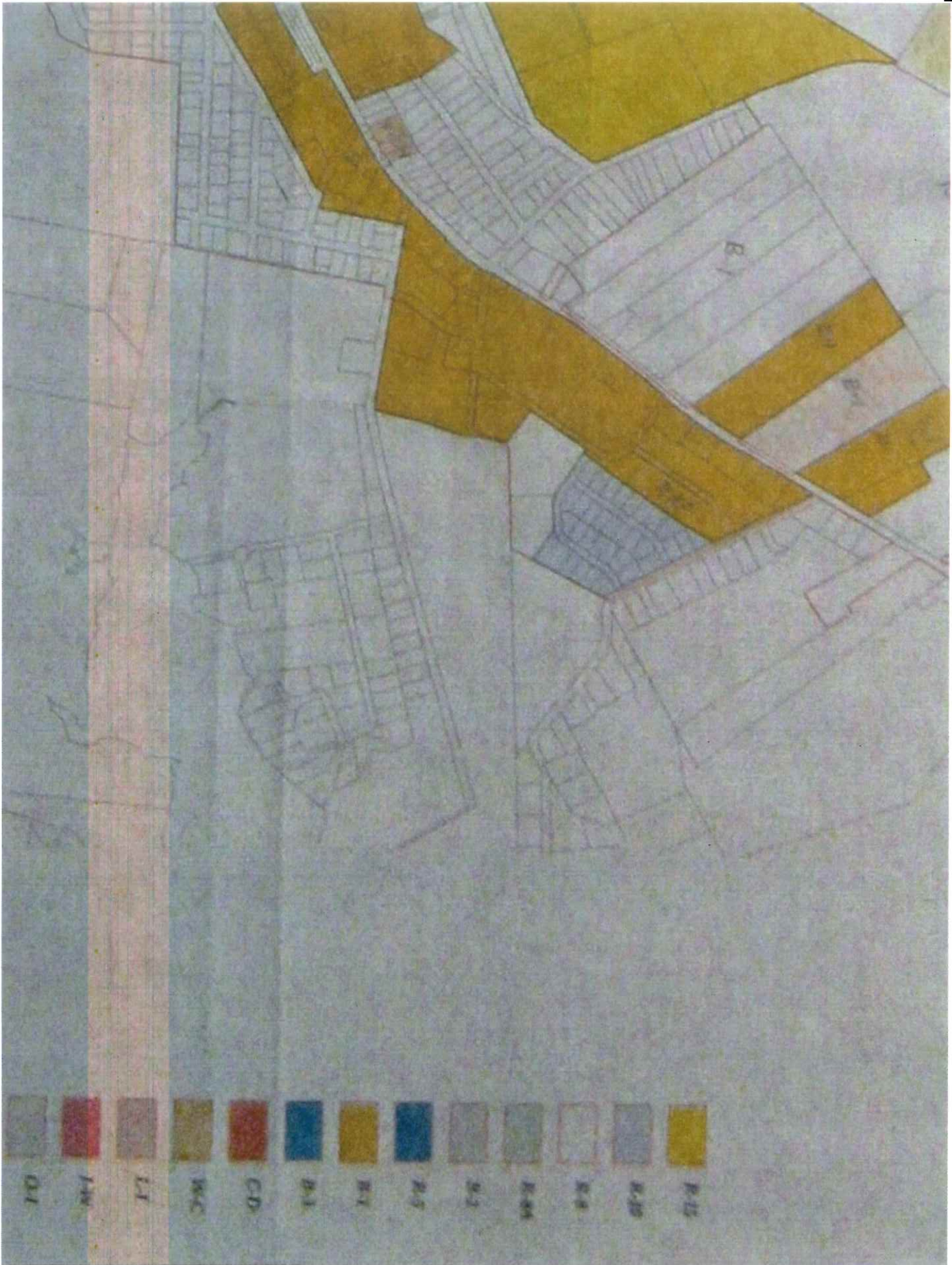
Revised July 1952  
 July 1952  
 July 1952  
 July 1952  
 July 1952



### Legend

- R-15
- R-10
- R-8
- R-8A
- CD
- WD
- B-1
- B-2
- B-3
- I-W
- L-I
- O&I
- R-5







**BEAUFORT BOARD OF COMMISSIONERS  
AN ORDINANCE TO REZONE FIVE LOTS TOTALING 1.78 ACRES, AND A  
PORTION OF ANOTHER TOTALING 1.87 ACRES ON EASTERN AVENUE  
FROM TCA to B-1  
ORDINANCE NO. 21-\_\_**

Applicant: Town of Beaufort  
Location: Eastern Avenue  
Parcel ID: 730612957560000, 730612958620000, 730612958698000,  
730612959746000, 731609050824000, 731609062012000 (Portion of)  
Lot Size: Five lots totaling 1.78 acres or 77, 363sq.ft. And a portion of another lot  
totaling 1.87 acres or 81,432 sq. ft.  
Existing District: TCA (Townhouse Condominium & Apartment)  
Meeting Date: December 13, 2021  
Requested District: B-1 (General Commercial)

**WHEREAS**, the Town of Beaufort Planning Staff 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 as B-1; and

**WHEREAS**, the Beaufort Board of Commissioners conducted a public hearing on December 13, 2021 at which time the Town Planning 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 congruous with the zoning as in 1998 when originally zoned as B-1.

**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 the aforementioned properties from TCA to B-1 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 13<sup>th</sup> day of December 2021

TOWN OF BEAUFORT

\_\_\_\_\_  
Sharon Harker, Mayor

\_\_\_\_\_  
Elizabeth Lewis, Town Clerk