

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, March 09, 2021 – 6:30 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



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## AGENDA

### CALL TO ORDER WITH INVOCATION GIVEN BY GAYLE TABOR, FOLLOWED BY THE PLEDGE OF ALLEGIANCE

### ADOPT THE AGENDA

### CONSENT AGENDA

- [1.](#) Set a Public Hearing Date for April 13th to Consider a Text Amendment to Chapter 40, Article 8, Sign Regulations Applicant: Town of Carolina Beach
- [2.](#) Approve Contract with Ward and Smith
- [3.](#) Easement Termination and Relocation – 601 Rocky Mount Avenue
- [4.](#) Approval of Meeting Minutes from 2/9/2021
- [5.](#) Budget Transfer

### SPECIAL PRESENTATIONS

- [6.](#) Employee Recognition
- [7.](#) Events Update by Tim Murphy
- [8.](#) New Event Request - Downtown Sundown Concert Series by David Grace
- [9.](#) Manager's Update

### PUBLIC COMMENT

*Public Comment allows the public an opportunity to address the Town Council. There is a three minute limit on public comments.*

### PUBLIC HEARINGS

- [10.](#) Consider a Zoning Map Amendment request to rezone a portion of 300 Goldsboro Ave from Highway Business (HB) to Residential (R-1) Applicant: Troy Slaughter.
- [11.](#) Consider a Text Amendment to Chapter 40, Article 3 and Article 17, Conditional Zoning

Applicant: Town of Carolina Beach

- [12.](#) Public Hearing to Review Requests from Non-Profit Organizations for General Fund Contributions

**ITEMS OF BUSINESS**

- [13.](#) Discussion on Town Committees

**NON-AGENDA ITEMS**

**CLOSED SESSION**

- [14.](#) Closed Session to Discuss an Attorney/Client and Personnel Matter

**ADJOURNMENT**



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Miles Murphy, Senior Planner

**DEPARTMENT:** Planning

**MEETING:** Town Council – 09 MAR 2021

**SUBJECT:** Set a Public Hearing Date for April 13<sup>th</sup> to Consider a Text Amendment to Chapter 40, Article 8, Sign Regulations

Applicant: Town of Carolina Beach

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**BACKGROUND:**

**ACTION REQUESTED:**

Approve the consent agenda item so the Text Amendment may be heard at the April 13<sup>th</sup> TC meeting.

**RECOMMENDED MOTION:**



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Bruce Oakley, Town Manager

**DEPARTMENT:** Executive

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Approve Contract with Ward and Smith

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**BACKGROUND:**

**ACTION REQUESTED:**

Review and consider approving contract with Ward and Smith.

**RECOMMENDED MOTION:**





MIKE McINTYRE, Attorney at Law

751 Corporate Center Drive, Suite 300 (27607)  
Post Office Box 33009  
Raleigh, NC 27636-3009

P: 919.277.9191  
F: 919.277.9177  
mmcintyre@wardandsmith.com

February 24, 2021

CONFIDENTIALVIA EMAIL (*bruce.oakley@carolinabeach.org*)

Bruce Oakley, Town Manager  
Town of Carolina Beach

RE: Town of Carolina Beach

Dear Mr. Oakley:

Reference is made to our telephone conferences of February 23, 2021 and to our previous letter of engagement dated October 5, 2020. This is to confirm that you have asked our firm to represent the Town of Carolina Beach with regard to its government relations work and associated issues.

This letter reflects a revision of our previous agreement for engagement of legal and lobbying services.

Client

The client shall be the Town of Carolina Beach. (Our representation shall be for the municipality itself and not for the individual elected officials, staff, employees or any other individual persons.)

Nature and scope of representation

We have agreed to advise and assist you with governmental matters and legal issues that arise, and the Town of Carolina Beach hereby engages Ward and Smith, P.A. to perform the following services in accordance with the terms and conditions set forth in this agreement: (1) assisting the Town of Carolina Beach in obtaining permission to place spoils from Carolina Beach Lake on property used and/or owned by Military Ocean Terminal Sunny Point, Department of the Army, Department of Defense of the United States Government, and assisting the Town of Carolina Beach with obtaining potential financial assistance for this project; (2) assisting the Town of Carolina Beach in strategic discussions with the Department of the Army and the federal government, as appropriate, regarding the expansion of the Town of Carolina Beach's water and wastewater treatment infrastructure for both current and future needs; (3) assisting the Town of Carolina Beach

ASHEVILLE

GREENVILLE

NEW BERN

RALEIGH

WILMINGTON

WARD AND SMITH, P.A.

February 24, 2021

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in obtaining federal governmental assistance and project management regarding federal issues related to beach renourishment efforts at Carolina Beach; and (4) assisting the Town of Carolina Beach with economic development efforts involving up to three potential infrastructure projects associated with federal infrastructure stimulus legislation that may be proposed.

The Town of Carolina Beach acknowledges and agrees that Ward and Smith P.A. does not have control over third-party decision makers, and that Ward and Smith, P.A. makes no representations, warranties or guarantees that it can achieve any particular results. Ward and Smith, P.A. shall act in good faith and with the necessary due diligence in connection with its performance of the services described herein. Two meetings with the Town of Carolina Beach (whether in person or virtually) and two trips to Washington, DC (in person or virtually, based upon certain contingencies otherwise allowed or permitted by law during an emergency or as otherwise mutually agreed upon by the parties), as well as a monthly status report, are included in the services to be provided. Our work for this engagement will be primarily on the federal level. Any work on the state level will be subject to mutual agreement, so long as such work on the state level does not conflict with Ward and Smith, P.A.'s work on behalf of New Hanover County. As the need arises for specialized assistance, such as grant writing and/or legislative monitoring/research, then fees and costs incurred for such services will be billed separately to the Town of Carolina Beach. It is understood that The Ferguson Group of Washington, DC, will be assisting our firm on your behalf in this capacity.

We have not identified any conflicts of interest with our other clients. However, it is possible that conflicts will occur, especially because of the unpredictability of legislative policy and politics. In such cases, we will disclose the conflict, or potential conflict, and the Town of Carolina Beach will need to retain its own independent legal counsel for that matter as well as make a good faith effort to waive any conflict that is waivable under the North Carolina State Bar's Rules of Professional Conduct.

Retainer and fees

The retainer for services will be \$3,750 for work related to items (1) and (2) above-described, and \$7,500 for items (3) and (4) above-described, for a total monthly retainer of \$11,250. Unless either of us terminates this engagement, this retainer is effective as of March 1, 2021 and remains in place through December 31, 2021. Out-of-pocket expenses and costs relating to our representation are not included in the monthly fee, but will be billed separately as incurred. The monthly retainer in any event will be the minimal fee for our services rendered during any portion of the month for which is paid.

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WARD AND SMITH, P.A.

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February 24, 2021

Page 3

Ward and Smith, P.A. will carry out its duties in compliance with all of the applicable federal, state and local laws and regulations, particularly those laws applicable to lobbying.

File Retention

At or before the conclusion of this matter, we will return to you any original documents you have given to us. Upon conclusion of this matter, we will close our active file for this matter, but keep an inactive file containing a copy of all pertinent documents for a minimum of six (6) years, as required by the professional rules of practice for attorneys. At the end of that period, we will dispose of the contents of the inactive file unless you request possession of the file contents.

Electronic Signature

The parties hereto consent to the use of electronic signatures and electronic transmittal of this Engagement Letter. As such, the parties hereto acknowledge and agree as follows: (1) facsimile or electronic signatures to this Engagement Letter shall be considered original signatures, (2) this Engagement Letter may be executed in one or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by each of the parties hereto and delivered to the other parties hereto, whether exchanged physically or via electronic means, and (3) the exchange of a fully executed Engagement Letter (in counterparts or otherwise) by facsimile or electronic delivery in .pdf format shall be sufficient to bind the parties hereto to the terms and conditions of this Engagement Letter.

Acceptance

If the terms of this Engagement Letter are satisfactory, please execute the Engagement Letter via DocuSign. By these actions, and in consideration of our agreeing to undertake this representation, we will understand that the terms and conditions in this Engagement Letter are accepted.

WARD AND SMITH, P.A.

February 24, 2021  
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If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Mike McIntyre  
Attorney | Member of Congress, 1997-2015

Read and agreed.

Town of Carolina Beach

By: \_\_\_\_\_  
Bruce Oakley, Town Manager

\_\_\_\_\_  
Date

ND: 4835-1249-0462, v. 1

### Certificate Of Completion

Envelope Id: 99C3C688F4CF44CAADF94DE5DC5B00E9	Status: Delivered
Subject: Please DocuSign: Engagement Agreement- Town of Carolina Beach- 2021 4835-1249-0462 v.1.pdf	
Source Envelope:	
Document Pages: 4	Signatures: 0
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Leslie M. Young
Time Zone: (UTC-05:00) Eastern Time (US & Canada)	PO Box 867
	New Bern, NC 28563
	LMY@wardandsmith.com
	IP Address: 174.109.175.218

### Record Tracking

Status: Original 2/24/2021 3:37:33 PM	Holder: Leslie M. Young LMY@wardandsmith.com	Location: DocuSign
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### Signer Events

Bruce Oakley bruce.oakley@carolinabeach.org Security Level: Email, Account Authentication (None)	<b>Signature</b>  <b>Timestamp</b> Sent: 2/24/2021 3:42:36 PM Viewed: 2/25/2021 10:59:56 AM
<b>Electronic Record and Signature Disclosure:</b> Accepted: 2/25/2021 10:59:56 AM ID: 3308bfb0-4de1-422a-8ae9-0c1b70d589dd	

### In Person Signer Events

### Signature

### Timestamp

### Editor Delivery Events

### Status

### Timestamp

### Agent Delivery Events

### Status

### Timestamp

### Intermediary Delivery Events

### Status

### Timestamp

### Certified Delivery Events

### Status

### Timestamp

### Carbon Copy Events

### Status

### Timestamp

Mike McIntyre  
 mmcintyre@wardandsmith.com  
 Ward and Smith, P. A.

COPIED

Sent: 2/24/2021 3:42:36 PM

Security Level: Email, Account Authentication (None)

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

### Witness Events

### Signature

### Timestamp

### Notary Events

### Signature

### Timestamp

### Envelope Summary Events

### Status

### Timestamps

Envelope Sent	Hashed/Encrypted	2/24/2021 3:42:36 PM
Certified Delivered	Security Checked	2/25/2021 10:59:56 AM

### Payment Events

### Status

### Timestamps

### Electronic Record and Signature Disclosure

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, Ward and Smith, P. A. (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

#### **How to contact Ward and Smith, P. A.:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [coc@wardandsmith.com](mailto:coc@wardandsmith.com)

#### **To advise Ward and Smith, P. A. of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [coc@wardandsmith.com](mailto:coc@wardandsmith.com) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

#### **To request paper copies from Ward and Smith, P. A.**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [coc@wardandsmith.com](mailto:coc@wardandsmith.com) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

#### **To withdraw your consent with Ward and Smith, P. A.**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to coc@wardandsmith.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Ward and Smith, P. A. as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Ward and Smith, P. A. during the course of your relationship with Ward and Smith, P. A..





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Easement Termination and Relocation – 601 Rocky Mount Avenue

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**BACKGROUND:**

In 1995, there was a description error made in the location of a utility easement granted to the Town of Carolina Beach on the Deed of Easement recorded in Book 1955, Page 286, New Hanover County Registry (copy attached). The utility easement in favor of the Town was apparently intended to run along the eastern lot line of property now owned by Cori and Daniel McQueen, but the wording of the recorded description places it along the western lot line instead, which is where the McQueen's house now stands. Reference to the survey by Pat Bristow (attached as Exhibit "A") shows the issue clearly.

Both the McQueens and the Town recognize the western easement needs abandoning and to be replaced with the eastern easement.

**ACTION REQUESTED:**

Approve the Easement Termination and Relocation as drafted by Attorney Eugene B. Davis, Jr., P.C.

**RECOMMENDED MOTION:**

Approve under Consent Agenda

Prepared by and return to: Eugene B. Davis, Jr., P.C., Attorney, 1612 Military Cutoff Rd., Ste. 301, Wilmington, NC 28403 (without certification of title)

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

**EASEMENT TERMINATION AND RELOCATION AGREEMENT**

This Easement Termination and Relocation Agreement (the “*Agreement*”) is made and entered into as of the latest date on which it is signed by either party, by and between the **Town of Carolina Beach, a North Carolina Municipality (“Town”)** and **Cori McQueen and husband, Daniel T. McQueen (“Homeowners”)**.

WITNESSETH:

Homeowners are the owners of certain Carolina Beach property (the “*Homeowners’ Property*”) conveyed to them by General Warranty Deed recorded July 30, 2010 in Deed Book 5500, Page 2884, New Hanover County Registry, said Homeowners Property being described therein as: “Lying and being in Federal Point Township and being Lots One (1) and Two (2), of Block 157, a survey of which is recorded in Deed Book 307, at Page 294 ½ of the New Hanover County Registry, reference to which is hereby made for a more complete description.”

Town is the owner of a drainage and utilities easement (the “*Existing Easement*”) over Homeowners’ property and neighboring lots located in New Hanover County, North Carolina as granted by that Deed of Easement recorded November 22, 1995 in Deed Book 1955, Page 286, New Hanover County Registry, the location of which Existing Easement was described therein as: “**Being a strip of land thirty (30) feet in width along the rear boundary line and parallel with said boundary line of that (sic) lot being known and designated as Lots 1, 2, 5, and 6, Block 157, Town of Carolina Beach as shown on a map recorded in Map Book 307, Page 294 ½, in the Office of the Register of Deeds of New Hanover County, North Carolina, to which map reference is made for a more particular description.**”

An apparent mistake in the description of the Existing Easement in the referenced Deed of Easement places its existing location along the westernmost lot line of Homeowners’ Property, whereas Town and Homeowners together recognize the intended and present location of said Existing Easement should have been and should be along the easternmost lot line of

Homeowners Property, as the easternmost lot lines runs along what formerly was designated 6<sup>th</sup> Avenue on the map recorded in Map Book 307, Page 294 ½, in the Office of the Register of Deeds of New Hanover County.

Homeowners have asked Town, and Town has agreed, to execute this Easement Termination and Relocation Agreement to clarify for the public record the proper and agreed-upon location of Town’s easement. For ease of reference, a survey for Homeowners by Patrick C. Bristow, Land Surveying, PC of Wilmington, North Carolina dated March 30, 2015, a copy of which is attached hereto as Exhibit “A,” identifies the location of the Existing Easement as per Deed Book 1955, Page 286 as well as the location along Homeowners’ easternmost lot line of the utility easement actually intended and presently recognized by the Town. Homeowners have requested the Existing Easement as it crosses the Homeowners’ Property be abandoned and a New Easement (“*New Easement*”) created reflecting the proper location. Town and Homeowners agree the New Easement shall be described as: **“Being a strip of land thirty (30) feet in width along the easternmost boundary line and parallel with said boundary line of those lots being known and designated as Lots 1 and 2, Block 157, Town of Carolina Beach as shown on a map recorded in Map Book 307, Page 294 ½, in the Office of the Register of Deeds of New Hanover County, North Carolina, to which map reference is made for a more particular description.”**

Homeowners desire to grant the New Easement to Town, and Town desires to abandon the Existing Easement and to recognize and accept in lieu therefor the New Easement.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, Town and Homeowners hereby agree as follows:

1. Termination of Existing Easement. Town hereby abandons and terminates the Existing Easement over the Homeowners’ Property in the location described in that Deed of Easement recorded November 22, 1995 in Deed Book 1955, Page 286, New Hanover County Registry as it affects Lots 1 and 2, Block 157, Town of Carolina Beach.
2. Grant of New Easement. Homeowners hereby grant and convey to Town, its successors and assigns, the New Easement. Save for the change in location as discussed herein, the respective rights and responsibilities over the said New Easement shall be governed by the same Deed of Easement, recorded in Deed Book 1955, Page 286, New Hanover County Registry.
3. Modification. No agreement shall be effective to add to, change, modify, waive or discharge this Agreement, in whole or in part, unless such agreement is in writing and signed by both Homeowners and Town.
4. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.

5. Partial Invalidity. If any provision of this Agreement is held to be invalid by any court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof, and for the purposes hereof all covenants as contained herein shall be deemed to be severable each from the other without qualification.

IN WITNESS WHEREOF, Town and Homeowners have each caused this Easement Termination and Relocation Agreement to be executed by their duly authorized officers and/or individually as of the latest of the dates set forth in the notary acknowledgments below.

[Signatures on following two pages.]

**Signature Page (One of Two)**  
**(for Easement Termination and Relocation Agreement between Town of Carolina Beach, a North Carolina Municipality and Cori McQueen and husband, Daniel T. McQueen)**

**TOWN:**

**THE TOWN OF CAROLINA BEACH**

By: \_\_\_\_\_ (Seal)  
**LeAnn Pierce, Mayor**

ATTEST:

\_\_\_\_\_  
**Kim Ward, Town Clerk**

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**STATE OF NORTH CAROLINA**  
**COUNTY OF NEW HANOVER**

I, \_\_\_\_\_, the undersigned, a Notary Public of said County and State, do hereby certify **Kim Ward** personally appeared before me this day and acknowledged that she is the **Town Clerk of the Town of Carolina Beach**, and that by authority duly given, and as the act of the Town, the foregoing instrument was **signed in its name by its Mayor and attested by her as its Town Clerk.**

WITNESS my hand and official seal or stamp, this the \_\_\_\_ day of \_\_\_\_\_, 2021.

(Official Seal)

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

(Print Name)

My commission expires: \_\_\_\_\_

**Signature Page (Two of Two)**  
**(for Easement Termination and Relocation Agreement between Town of Carolina Beach, a North Carolina Municipality and Cori McQueen and husband, Daniel T. McQueen)**

**HOMEOWNERS:**

\_\_\_\_\_  
**Cori McQueen**

\_\_\_\_\_  
**Daniel T. McQueen**

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**STATE OF NORTH CAROLINA**  
**COUNTY OF NEW HANOVER**

I, \_\_\_\_\_, the undersigned, a Notary Public of said County and State, do hereby certify **Cori McQueen** and **Daniel T. McQueen** personally appeared before me this day, each acknowledging to me that she and he signed the foregoing document.

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

*(Official Seal)*

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
(Print Name)

My commission expires: \_\_\_\_\_

# Exhibit "A"

Item 3.

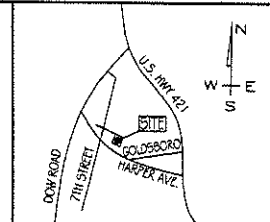
I, PATRICK C. BRISTOW, CERTIFY THAT THIS PROPERTY WAS SURVEYED AND MAP DRAWN UNDER MY SUPERVISION: DESCRIPTION AS SHOWN ON THE FACE OF THIS PLAT; RATIO OF PRECISION AS CALCULATED BY COMPUTER IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN BY BROKEN LINES PLOTTED FROM INFORMATION REFERENCED; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1604); WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 30TH DAY OF MARCH A.D. 2015.

*Patrick C. Bristow*

PATRICK C. BRISTOW  
N.C. PLS No. L-4148

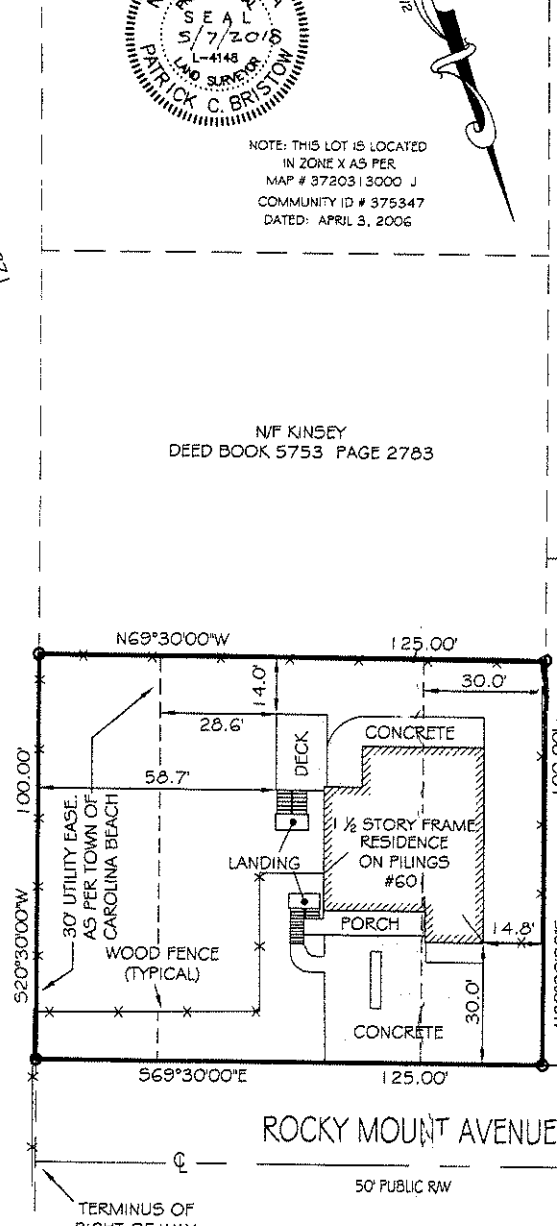
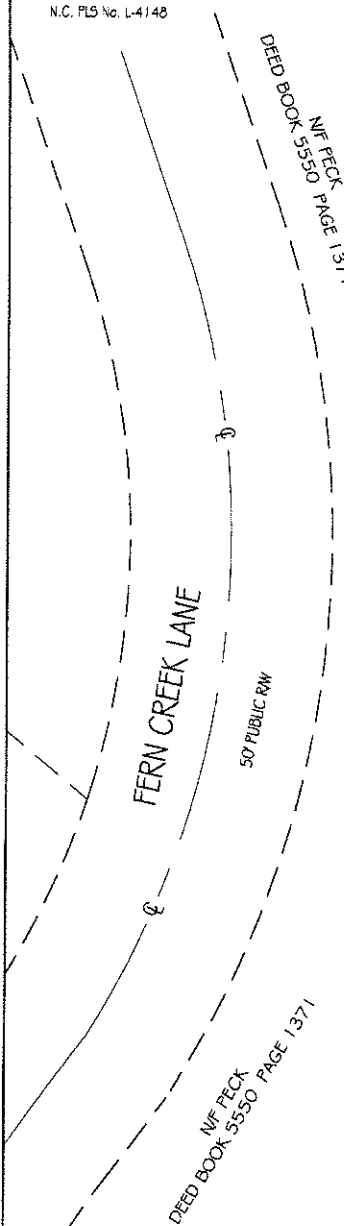


NOTE: THIS LOT IS LOCATED  
IN ZONE X AS PER  
MAP # 3720313000 J  
COMMUNITY ID # 375347  
DATED: APRIL 3, 2006



LOCATION MAP  
NOT TO SCALE

SURVEY REFERENCE  
MAP IN DEED BOOK 307 PAGE 394 1/2  
DEED BOOK 5500 PAGE 2884



SURVEYED LOT IS SUBJECT TO ALL  
UTILITY EASEMENTS, RESTRICTIONS  
OR COVENANTS OF RECORD.

N/F KINSEY  
DEED BOOK 5753 PAGE 2783

30' UTILITY EASE.  
AS PER DEED BOOK  
1955, PAGE 286

N/F CORL  
DEED BOOK 2559 PAGE 577

ROCKY MOUNT AVENUE

TERMINUS OF  
RIGHT OF WAY

THIS MAP AND FIELD SURVEY WERE MADE  
FOR THE EXCLUSIVE USE OF THE PERSON,  
PERSONS, OR ENTITY NAMED IN THE  
CERTIFICATION HEREON. SAID CERTIFICATION  
DOES NOT EXTEND OR TRANSFER TO ANY  
UNNAMED PERSON, PERSONS, OR ENTITY  
WITHOUT AN EXPRESSED RE-CERTIFICATION  
BY THE SURVEYOR NAMING SAID PERSON,  
PERSONS, OR ENTITY.

REVISED: 5-07-2018  
ADD EASEMENTS

SURVEY FOR  
**CORI McQUEEN & DANIEL McQUEEN**  
LOTS 1 & 2 BLOCK 157 CAROLINA BEACH  
TOWN OF CAROLINA BEACH NEW HANOVER COUNTY, N.C.

S:\LAND PROJECTS\CB BLK 157 LOTS 1-2.dwg\60 ROCKY MOUNT CORI LOC.dwg

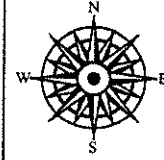
MARCH 30, 2015 0.287 AC. ±

1 INCH = 30 FEET

© PATRICK C. BRISTOW LAND SURVEYING, PC MARCH 2015

LEGEND

- = EXISTING IRON PIPE
- ⊙ = CENTERLINE
- = CONTROL MONUMENT
- ⊗ = SET IRON PIPE
- △ = SURVEY NAIL



**PATRICK C. BRISTOW**  
LAND SURVEYING, PC  
4113-A OLEANDER DRIVE  
WILMINGTON, N.C. 28403  
(910) 791-1500 (PH) (910) 791-1504 (FAX)  
E-MAIL: pat@bristowsurveying.com  
FIRM LICENSE NO. C-3071

16  
2

Tax Parcel ID # R08817-007-010-000

R08818-001-001-000

RECORDED AND VERIFIED  
JULY ONE 00TS  
REGISTER OF DEEDS  
NEW HANOVER CO. NC ✓

1955 PAGE 0286

'95 NOV 22 AM 11 54

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

000154

DEED OF EASEMENT

THIS DEED OF EASEMENT MADE this the 15<sup>th</sup> day of March, 1994, by and between Anton Brand and wife, Henny Brand of 13342 Woodcrest Drive, Surrey, British Columbia, Canada V4P1W50 (hereinafter referred to as "Grantor") and the Town of Carolina Beach, a North Carolina Municipality, whose mailing address is 1121 Lake Park Boulevard, Carolina Beach, NC, (hereinafter referred to as "Grantee");

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

W I T N E S S E T H:

WHEREAS, Grantor owns property within the Tarboro Avenue, Rocky Mount Avenue, 7th Street and Harper Avenue area of Carolina Beach, North Carolina; and

WHEREAS, Grantee must improve streets in the above-described area; and

WHEREAS, in order to make such improvements, Grantee requires an adequate easement across Grantor's property for the purpose of installing and maintaining utilities and drainage improvements; and

WHEREAS, the street improvements will benefit Grantor's property; and

WHEREAS, Grantor has agreed to convey the necessary easement to Grantee and Grantee has agreed to relinquish its right to charge assessment costs for said improvements.

NOW THEREFORE, Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, it's successors and assigns, an exclusive, perpetual easement and right of way more particularly described in the paragraphs below.

1. Location of Easement. Being a strip of land thirty (30) feet in width along the rear boundary line and parallel with

397579

Witnessed by Clayton T. Rhine

DRAWN BY Carter, T. Lambeth



BOOK PAGE  
1955 0287

said boundary line of that lot being known and designated as Lots 1, 2, 5, and 6, Block 157, Town of Carolina Beach as shown on a map recorded in Book 307, Page 294, in the Office of the Register of Deeds of New Hanover County, North Carolina, to which map reference is made for a more particular description.

2. Purpose of Easement. The purpose of the easement is for public facilities, utilities and drainage improvements necessary to effect street improvements, including water, sanitary sewer, storm sewer, drainage and related utility lines and facilities. Grantee's rights shall include constructing, laying, maintaining, inspecting, operating, protecting, repairing, changing the size of, replacing, removing or abandoning lines and facilities, and removing structures, fences, trees, shrubs and vegetation within the easement area. It is agreed that Grantors shall have the right to use and enjoy said easement area subject to the easement and rights herein granted.

3. Restrictions on Grantors' Use of Easement. Grantor agrees not to erect buildings, structures or trees within the easement.

4. Grantee's Rights of Ingress and Egress. Grantee shall have the right of ingress and egress along the easement

5. Covenants by Grantor. Grantor, for itself, its heirs, executors, administrators and assigns, does covenant with Grantee, its successors and assigns, that they are owners in fee simple of the real property which is subject to the described easement; that Grantor has good right to grant and convey said easement; that said easement is free and clear from all restrictions, easements or encumbrances, except any mentioned in this instrument, any restrictions of record, any utility or drainage easements of record, and the lien of local property taxes; and that Grantor shall warrant and defend the title of said easement against the lawful claims and demands of any and all persons whomsoever.

TO HAVE AND TO HOLD the right and easement hereby granted to the Grantee and its successors and assigns in title forever.

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals, the day and year first above written.

*Anton Brand*  
Anton Brand (Seal)

*Henry Brand*  
Henry Brand



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council – 3/9/2021

**SUBJECT:** Approval of Meeting Minutes from 2/9/2021

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**BACKGROUND:**

Attached are the meeting minutes from 2/9/2021.

**ACTION REQUESTED:**

Review and approve under the consent agenda.

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, February 9, 2021 - 6:30 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



## MINUTES

### CALL TO ORDER WITH INVOCATION, FOLLOWED BY THE PLEDGE OF ALLEGIANCE

Mayor Pierce called the meeting to order at 6:30 PM, followed by the invocation by Mayor Pierce and Pledge of Allegiance.

#### PRESENT

Mayor LeAnn Pierce

Mayor ProTem Jay Healy

Council Member Lynn Barbee

Council Member JoDan Garza

Council Member Steve Shuttleworth

#### ALSO PRESENT

Town Manager Bruce Oakley

Assistant Town Manager Ed Parvin

Town Clerk Kim Ward

Town Attorney Noel Fox

### ADOPT THE AGENDA

**ACTION:** Motion to adopt the agenda, adding a closed session

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

### CONSENT AGENDA

1. Budget Amendments/Transfers
2. Set Public Hearing for March 9, 2021 to Receive Funding Requests from Non-Profit Organizations from the General Fund
3. Set a Public Hearing for March 9, 2021 to consider a rezoning request by Winner Enterprise of CB, LLC to rezone a portion of 300 Goldsboro Ave from Highway Business (HB) to Residential (R-1).  
Applicant: Winner Enterprise of CB, LLC
4. Approve Contract for Auditing Service for period ending 6/30/21
5. ROT Reimbursement Request for \$196,997.96
6. Approval of Meeting Minutes

**ACTION:** Motion to adopt the consent

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,  
Council Member Shuttleworth

*Motion passed unanimously*

**SPECIAL PRESENTATIONS**

## 7. Events Update by Tim Murphy

Tim Murphy, Recreation Programs Superintendent/Community Events Coordinator for the Town, reviewed special events for February/March, including the Steve Haydu Lo Tide Run on March 13, which has undergone some changes for this year after being canceled last year due to the COVID-19 pandemic.

## 2021 Lo Tide Run Changes

Begin and end at Lake Park

1. Limit crossings (pre-race, in race) of U.S. 421.
2. Maximize use of CB Greenway for both showing off this awesome trail and limiting road impact with a longer schedule of running.
3. Create separation between starting area and finish.
4. Connect pathways to local bars and restaurants for maximum commercial impact.
5. Signage to remind people of COVID protocols.

The 5K runs a counterclockwise path west out Clarendon Ave.

South through 8th to a turnaround on Greenway.

Then North Greenway to Greenville Ave.

Greenville Ave to 4th St.

And back into the lake via Clarendon Ave.

The 10K follows the same 5K course but turns right on 4th St.

Then the course runs out and back along Harper Ave. and 8th St.

Then rejoins the 5K course where it departed at Clarendon Ave.

Mr. Murphy showed maps of both routes.

He also reviewed the following:

## Parks and Recreation Updates

- Gymnastics
- Volleyball Lessons
- Tennis Lessons
- Lil Scoopers Lacrosse
- Without Limits – Youth Sprint Development
- Basketball Skills Clinics
- Flag Football Tourney 2/21

- PISA (Late Registration Until 2/15)
- PIYB (Registration Ends 2/28)
- Valentine's Day Card Kits (Replaces Annual Valentine's Day Dance)
- Free Tax Prep at Community Building
- Ryder Lewis Park – Ribbon Cutting 2 p.m. Thursday

#### 8. Manager's Update

Mr. Oakley updated Council on current and future projects.

#### CodeRED

- Localized emergency alerts
- Registration is free
- Police Department webpage; click on CodeRED logo
- Text cbcoded to 99411
- Download app

#### Pack it in; pack it out

- Alabama to Hamlet and Pelican to Freeman Park
- Trash receptacles will be placed on the beach in the Boardwalk area and at Freeman Park
- Trash receptacles in parking lots and on street end accesses
- Grant for new trash and recycling receptacles

Mr. Oakley also said Utility Billing Customer Service will be closed until noon February 10 for training.

Council Member Shuttleworth asked about the figure of nearly \$500,000 in the fund balance for hurricane additional funds that the Town requested. He wanted to know where things are in terms of FEMA reimbursement. Mr. Oakley said staff is working on this and is fairly close to a resolution.

Mayor Pro Tem Healy said he thinks the trash update is a great idea but will require education such as signage to ensure it works. Mr. Oakley said signs have been designed and there are plans for videos and other promotional messaging. Mayor Pierce said this has been discussed for years and is a great first step to getting the blue barrels off the beach. Council Member Barbee said he knows the program has been effective in other places and thinks it will reduce trash on the beach.

Council Member Garza said CodeRED is an awesome idea and that he would like to see information about it pinned to the top of the Town's Facebook and other social media pages and on the website.

Council Member Garza also asked how the County's new ordinance for smoking and vaping will affect the Town and whether the Town is prepared to roll out signage. Mr. Oakley said the Town has started working toward ways to get the word out that smoking and vaping are prohibited on all public-owned property.

Council Member Barbee asked if there is any progress on the lake dredge matter. Mr. Oakley said there has been some interest but no proposals submitted yet in response to the RFP, which closes on February 12 but can be extended.

## **PUBLIC COMMENT**

None

## **PUBLIC HEARINGS**

9. Consider a Modification to the Conditional Use Permit for the Boardwalk Amusement Rides to be located on multiple properties (PIN - 3130-54-2980, 3130-54-4836, 3130-55-4065, 3130-55-5014, 3130-54-5992, 3130-54-5877, 3130-54-5778, 3130-54-5870, and 3130-54-6839)  
Applicant: Carolina Beach Land Holdings LLC

**ACTION:** Motion to open the public hearing to consider the CUP for the Boardwalk amusement rides to be located on multiple properties

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

The following individuals were sworn in: Applicant Matt Murphy, Applicant Attorney Ned Barnes, Courtyard by Marriott General Manager Tom Ullring, Architect Greg Reynolds, Planning Director Jeremy Hardison, Assistant Town Manager Ed Parvin, and Senior Planner Miles Murphy.

**ACTION:** Motion to open the evidentiary hearing

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Ms. Fox gave an overview of the proceedings and rules for Council in a quasi-judicial hearing. She asked if any member of Council had any conflict, partiality, or ex parte communications to disclose. Mayor Pierce said she wanted to disclose that she owns property on the Boardwalk adjacent to the proposed amusements rides but that this did not pose any bias or conflict.

Mayor Pierce asked if there was anyone in attendance who contends they are a party with standing. There were none.

Carolina Beach Land Holdings LLC plans to utilize multiple lots they own in the Boardwalk area to bring the amusement rides and vendors back to CB. The lots being utilized are the following:

- 8 Cape Fear Blvd. PIN 3130-55-5014
- 5 Carolina Beach Avenue South PIN 3130-54-5877
- 7 Carolina Beach Avenue South PIN 3130-54-5870
- 9 Carolina Beach Avenue South PIN 5150-54-5778
- 9 Cape Fear Boulevard PIN 5150-54-4836

- 1 Carolina Beach Avenue South PIN 5150-54-5992
- 3 Boardwalk PIN 5150-54-6839
- 101 Cape Fear Boulevard PIN 5150-54-2980

101 Cape Fear is currently under different ownership, but CB Land Holdings is in the process of purchasing the property and has secured permission from the owner to utilize their land as part of this CUP application. A demo permit is being issued for the removal of the current structure on 101 Cape Fear as a precursor to this use and/or future development.

Senior Planner Miles Murphy gave details of the application.

#### History

- 2009 Amusement CUP approved for one year then review the performance of the amusements.
- 2010 Amusement CUP approved for two years then review the performance of the amusements.
- 2011 Council stated that no future review of the previous year's activities is required in future years. Staff should review for future years their location and estimated impacts the amusements may have on adjacent property owners.
- 2020 Amusements are modifying the footprint to incorporate three additional lots.

The proposal designates some areas where vendors will be asked not to put concessions due to their proximity to existing businesses.

Ned Barnes of 814 Carolina Beach Avenue North, attorney for the applicant, said the proposal meets all of the required seven specific standards and four general conditions and that the applicant is in agreement with everything the Town is requesting. He said the applicant has an excellent track record after operating rides here for 10 years and is looking forward to bringing back family-oriented entertainment to the Boardwalk. Mr. Barnes said it is uncertain whether COVID-19 requirements will allow the rides to operate this summer, so there is not yet a specific vendor with whom the applicant will contract.

Mayor Pierce said Council would like to hear from the applicant about the COVID-19 precautions proposed if operation this summer is possible. She asked if there were any witnesses to call.

Architect Greg Reynolds said the applicant finds the area designated as having no concessions to be restrictive. He said they want to be good neighbors but don't want to be tied into that.

Mayor Pro Tem Healy said the intent is to protect the brick-and-mortar businesses that have been struggling all year through a tough time.

Mayor Pierce asked if the applicant had thought about how operations would go regarding COVID-19 precautions. Applicant Matt Murphy said all the operators they've talked to are geared up to follow safety guidelines.

Council Member Shuttleworth asked the applicant to be sensitive to the placement of concessions. Matt Murphy said they are always sensitive to brick-and-mortar businesses but that they want to avoid being too restrictive because it makes it difficult for the operator to succeed.

Mayor Pierce asked if there were any members of the public who wanted to speak.

Tom Ullring, general manager of the Courtyard by Marriott, addressed Council. He said he was glad the matter was being discussed because many guests have been asking about the rides. Mr. Ullring requested that the parties involved be mindful and considerate of placement of the rides and how they can impact noise levels at the hotel. Mayor Pierce encouraged Mr. Ullring and others to get together to come up with a solution that benefits everyone. Council Member Barbee said the rides are a win-win for all involved, but communication is key.

No one else spoke. Council began deliberations on the matter.

Mayor Pro Tem Healy said the rides bring lots of people to the Boardwalk area and that he supported the proposal.

Council Member Barbee said he has concerns about the competition among food vendors and existing restaurants, but he is confident there can be a resolution that doesn't involve specific restrictions. He asked if there was a legal basis for prohibiting concessions in a certain area. Mr. Parvin said this must be tied to specific standards or general conditions, which might be tough to do.

Council Member Garza said he had no problems with the proposal other than some concerns about the age of the rides and safety.

Council Member Shuttleworth asked how Town staff will evaluate concerns about lights and noise. Miles Murphy said many of these issues cannot be worked out until there is a vendor selected. Mayor Pierce said the Town has a noise ordinance with ways to measure decibel levels. Miles Murphy reiterated that this issue may be dealt with by Town regulations.

Council Member Barbee asked about opportunities for neighboring businesses to comment once the site plan starts to form. Miles Murphy said this is not required of the applicant, but Town staff encourages open communication so everyone is on the same page. Council Member Barbee said he thinks that's key. Mayor Pierce said during the long history of this operation, the applicants have been responsive to concerns. She asked them to give special consideration to brick-and-mortar businesses and take COVID-19 guidelines very seriously for the sake of public health.

Council Member Barbee asked whether a motion should strike the concession restriction. Mayor Pierce said she was fine with this because competition can be a good thing and people are going to go where they want to go. Mayor Pro Tem Healy said if there was a history of the applicants not being good stewards this might be an issue, but because they seem to be cooperative he doesn't think it is necessary.



**ACTION:** Motion to approve the CUP and that it's in accordance with the draft grant order and it otherwise meets the seven specific standards and the four general conditions if developed according to the plan as submitted and approved

Motion made by Council Member Shuttleworth

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Mayor Pierce thanked the applicants for continuing to invest in the Town and said Council looks forward to hopefully seeing rides on the Boardwalk this year.

**ACTION:** Motion to close the CUP hearing

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

10. Public Hearing to Receive Requests from Non-Profit Organizations for Room Occupancy Tax Funds

**ACTION:** Motion to open the public hearing to receive requests from nonprofit organizations for room occupancy tax funds

Motion made by Mayor Pierce

Maureen Lewis of 1407 Croaker Lane, founder of the Carolina Beach Mural Project, gave an overview of the organization and its plans. The group is asking for \$10,000 in room occupancy tax funding to support a public art program. Ms. Lewis said the money would help attract the highest-quality artists.

Mayor Pierce asked who maintains the murals. Ms. Lewis said there is a contract with each landlord and the organization has money in reserve to address any issues. She said no advertising or religious or political themes are allowed. Mayor Pierce asked if the property owners pay anything. Ms. Lewis said no because the organization wants to ensure portrayal of historical accuracy without any financial interests driving content.

Council Member Garza asked about maintenance beyond a five-year period. Ms. Lewis said the initial contract is five years to keep from limiting the landlord on what can be done with the property, but after five years the contract can be extended.

Mayor Pierce said there will not be a vote on the funding yet and that Council will hear more during the budget process over the next couple of months. She asked Ms. Lewis when the current mural at Town Hall would be finished. Ms. Lewis said within a couple of weeks and that Council would be invited to come to the unveiling.

No other nonprofit organizations asked to present.

Council Member Garza asked how much the Town is willing to give to causes on average. Mr. Oakley said the Town was tight with donations last year and that more information would be available during the budget process.

Council Member Shuttleworth said in the past most contributions to nonprofit organizations have come from the general fund rather than room occupancy tax dollars. He said Council must be cautious with how those dollars can be spent until the funding issue with beach nourishment and other items is resolved.

**ACTION:** Motion to close the public hearing for room occupancy tax requests

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

11. Consider adopting the Southeastern NC Regional Hazard Mitigation Plan

**ACTION:** Motion to open the public hearing to consider adopting the Southeastern North Carolina Regional Hazard Mitigation Plan

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Planning Director Jeremy Hardison said Town staff is asking for a motion to adopt the plan and a public hearing to give people an opportunity to speak on the plan and ask questions, which is mandated by the federal government.

Mr. Hardison said hazard mitigation describes actions taken to help reduce or eliminate risk caused by hazardous events or disasters while measuring risk to the community. He said the Town's top risks are hurricanes and flooding. Mr. Hardison said the plan must be updated every five years, and the current plan is set to expire in April. He said the endeavor is a funded federal mandate that does not require any Town funds to produce the plan. The plan is a requirement if the Town wants to apply for federal grants or ask for disaster relief or FEMA reimbursement. Mr. Hardison gave a short rundown of the plan, which identifies general goals the following actions: prevention, property protection, public education, and awareness.

**ACTION:** Motion to adopt the attached Southeastern North Carolina Regional Hazard Mitigation Plan

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Mr. Hardison reminded Mayor Pierce about the public hearing. Mayor Pierce asked if anyone wanted to speak. No one came forward.

**ACTION:** Motion to close the public hearing

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

## ITEMS OF BUSINESS

### 12. NCDEQ Stormwater Audit Update

The N.C. Department of Environmental Quality (NCDEQ) recently completed an audit of the Town's stormwater program for the first time in 10 years. As a follow-up, NCDEQ requires an approval of this resolution by the Council. The resolution indicates the Town's support for a National Pollutant Discharge Elimination System (NPDES) compliant stormwater program.

Public Works Director Brian Stanberry said the plan covers five years and addresses things the Town is already doing. He said it is due by May 4.

Council Member Garza asked about the recommendation for the frequency of the audit. Mr. Stanberry said the Town gets about a 30-day notice and the audit is supposed to be every five years but can be longer per the discretion of NCDEQ.

**ACTION:** Motion to adopt Resolution 21-223, a resolution affirming the Town of Carolina Beach Council's support regarding implementation of the compliant NPDES MS4 Stormwater Program

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

### 13. Easement at 402 Oceana

Mr. Parvin presented the details. The intent of this request is to withdraw the 10-foot utility easements to the extent that they burden Lot 2 of Oceana and grant a utility easement to the Town of Carolina Beach. The Town has reviewed the existing utility easement. There are no utilities beyond the sanitary sewer manhole. There are no anticipated needs to have public utilities beyond the sanitary sewer manhole. The Town would request to have clear and unobstructed access to the manhole. For this reason, it is recommended that the easement remain only on this portion of Lot 2.

Mayor Pierce said she thinks this is the first time Council has heard a motion to remove the easement. She asked Ms. Fox if Council had her approval, and Ms. Fox said yes.

**ACTION:** Motion to remove the easement located at 402 Oceana based on Attorney Fox approval

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,

Council Member Shuttleworth  
*Motion passed unanimously*

### **NON-AGENDA ITEMS**

Mayor Pierce said she received an email from the Federal Point Historic Preservation Society about a funding shortfall due to a reduction in the Town's contribution and the inability to rely upon usual fundraisers due to the COVID-19 pandemic. Mr. Oakley said in previous years the group has requested \$7,500 and last year requested \$9,000 but was only given \$1,000 in the Town's budget. Mr. Oakley said while all contributions to nonprofits were cut in the last budget, this one was a more drastic reduction than others for reasons that were not immediately clear. Mayor Pierce asked Council to consider adding funding to the group because they provide the valuable service of preserving the Town's history. Other Council members also expressed support for the request.

**ACTION:** Motion to direct the Town Manager to supplement the Federal Point Historic Preservation Society for \$3,000 to balance their budget for this year/last year

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza, Council Member Shuttleworth

*Motion passed unanimously*

Council Member Garza said he would love to see the group become the welcome center for the Town.

Council Member Shuttleworth started a lengthy discussion about how the Town will pay for beach nourishment. He gave detailed background information about the matter and possible funding sources. He said there should be a conversation about how the community wants to handle this and an exploration of ways to accomplish the goal without raising property taxes.

Council Member Barbee said he would like to look at redistribution of room occupancy tax funds, much of which currently go to advertising. He said it is tough to explain that the beach is eroding and doesn't have as much room for visitors while advertising to get more tourists here.

Council Member Barbee said he encourages organizations involved with summer activities to begin planning while keeping in mind that events may need to be postponed or canceled due to the COVID-19 pandemic. Council Member Shuttleworth said weekly fireworks starting in late May through summer should be strongly considered to move forward because people can still enjoy them while social distancing. Mayor Pierce asked Mr. Oakley to head up a meeting with stakeholders to explore creative suggestions for summer activities similar to the alternatives during the holidays. Mr. Oakley said he has spoken to Parks & Recreation Director Eric Jelinski and he's already planning for a normal year with precautions.

Ms. Fox reminded Council about the virtual Coastal Resources Commission meeting next Thursday.

### **CLOSED SESSION**

**ACTION:** Motion to go into closed session for an attorney/client matter in accordance to NCGS 143-318.11(a)(3). Matters being discussed are:

18 CVS 3151 Town of Carolina Beach vs. Carolina Freeman LLC

18 CVS 3152 Town of Carolina Beach vs. B&F Enterprises LLC

18 CVS 3153 Town of Carolina Beach vs. DRDK LLC

18 CVS 3154 Town of Carolina Beach vs. Freeman Beach LLC

18 CVS 3155 Town of Carolina Beach vs. Winnie Futch Heirs

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,  
Council Member Shuttleworth

*Motion passed unanimously*

Mayor Pierce called the meeting back to order and said Council took no action during closed session.

#### **ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Mayor Pierce

Voting Yea: Mayor Pierce, Mayor Pro Tem Healy, Council Member Barbee, Council Member Garza,  
Council Member Shuttleworth

*Motion passed unanimously*

The meeting adjourned at 9:00 PM.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Debbie Hall, Finance Director

**DEPARTMENT:** Finance

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Budget Transfer

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**BACKGROUND:**

Attached is a budget transfer request to make repairs to the Lake Park walkway.

**ACTION REQUESTED:**

No action needed.

**Debbie Hall**

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**From:** Brian Stanberry  
**Sent:** Monday, March 8, 2021 10:51 AM  
**To:** Debbie Hall; Eric Jelinski  
**Cc:** Alisa Perry  
**Subject:** Budget Transfer Request

Debbie,

I would like to request a budget transfer, in the amount of \$15,000, from the 10-630-056 account to the 10-620-046 account. These funds will cover unbudgeted, needed repairs to the Lake walkway infrastructure. If there are any questions, or concerns, just let me know. Thank you.

*Brian Stanberry*

Director of Public Works  
Town of Carolina Beach  
910-458-8291 office  
910-443-1837 mobile  
[brian.stanberry@carolinabeach.org](mailto:brian.stanberry@carolinabeach.org)



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## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Employee Recognition

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**BACKGROUND:**

Chief Ward will introduce the newest police officers.

Council will recognize Greg Reynolds for his service to the Town and the Chamber of Commerce.





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Tim Murphy

**DEPARTMENT:** Parks and Rec

**MEETING:** Town Council Meeting 3/9/2021

**SUBJECT:** Events Update by Tim Murphy

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**BACKGROUND:**

Tim Murphy will give an update on the upcoming events.

**ACTION REQUESTED:**

No action requested.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Tim Murphy

**DEPARTMENT:** Parks and Rec

**MEETING:** Town Council Meeting 3/9/2021

**SUBJECT:** New Event Request - Downtown Sundown Concert Series by David Grace

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**BACKGROUND:**

David Grace will present a request to host the Downtown Sundown Concert Series in Carolina Beach. No other information was available at the time the agenda was published.

**ACTION REQUESTED:**

A vote from Council is required to allow the new event.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Bruce Oakley, Town Manager

**DEPARTMENT:** Executive

**MEETING:** Town Council Meeting – 3/9/2021

**SUBJECT:** Manager’s Update

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**BACKGROUND:**

Town Manager Bruce Oakley will update Council on current and future projects.



## AGENDA ITEM COVERSHEET

**PREPARED BY:** Miles Murphy, Senior Planner

**DEPARTMENT:** Planning

**MEETING:** Regular Town Council – 9 MAR 2021

**SUBJECT:** Consider a Zoning Map Amendment request to rezone a portion of 300 Goldsboro Ave from Highway Business (HB) to Residential (R-1) Applicant: Troy Slaughter.

### **BACKGROUND:**

Troy Slaughter has requested a portion of his property, currently zoned HB, to be rezoned to R-1 to allow for single-family residences. He is in the process of constructing multiple single-family homes along Goldsboro and plans to continue in the same manner on this property once single-family development is permitted.

This portion of 300 Goldsboro features 3 different zoning districts; Highway Business (Commercial), Mixed Use (Mixed Commercial/Residential), and Residential 1 (Residential). Downzonings, moving from a more dense/intense district to a less dense/intense one, may only be applied for by the owner of the property(s) in question.

This portion of the R-1 Zoning District falls under the Medium Density category of the current Land Use Plan. Medium Density is described as “Mostly medium-sized lots (min. 5,000 sq ft) with primarily single family detached residences. Smaller-scale, attached residences (two-family homes and townhomes) allowed occasionally if contextually compatible. Some small-scale commercial, restaurants, or offices are encouraged at select locations with good access. Low-to medium-traffic streets with pedestrian facilities.”

### **ACTION REQUESTED:**

TRC recommends approval of the Zoning Map Amendment

Planning and Zoning approved the Rezoning 7-0

### **RECOMMENDED MOTION:**

- A Statement of Approval – The Council, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of the Zoning Map Amendment for 300 Goldsboro in the Town of Carolina Beach is consistent with

the goals and objectives of the adopted Land Use Plan and other long-range plans. (If applicable - List any modifications)

- A statement approving the proposed Zoning Map Amendment and declaring that this also amends the plan, to meet the vision of the community that were taken into account in the zoning amendment.
- A Statement of Denial – The Council deny the adoption of the following Zoning Map Amendment based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long range planning documents.



# PETITION FOR A ZONING MAP AMENDMENT

**IMPORTANT:** Supplementary information required as part of petition to be included:

**Completed rezoning petition.** For general use requests: The petition must be signed by the petitioner. Proof of compliance with GS 160A-383 regarding third party notification is required.

**Adjacent Property Owners Map.** A copy of the area as depicted on the Zoning Map which shows subject property (outlined in bold) and other surrounding properties within 100 feet of the subject property. Please label the names of the property owners directly affected by the zoning map amendment and those adjacent to or within 100 feet (excluding right-of-way) of the request.

This petition will be scheduled for the next possible meetings with the following boards: (1) Technical Review Committee, (2) Planning and Zoning Commission and (3) Town Council. The petitioner or representative should be present at all meetings to answer any questions. Contact the Department of Planning and Development for the schedule of meeting times and submittal deadlines. All meetings are held at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Petitioners will be informed of any changes in date, time, or location of meetings.

- Minor Rezoning (\$350)                      Rezoning of property less than 1 acre in size.
- Major Rezoning (\$625)                      Rezoning of property one acre or greater in size.

### Petitioner

Petitioner's Full Name: Martin Troy Slaughter, Winner Enterprises of CB, LLC Phone #: (910)- 763 - 1109

Street Address: P.O. Box 321

City: Carolina Beach State: NC Zip: 28428

Email: tlaughter@slaughterlawyers.com

### Requested Zoning Map Change

Address(s) of Requested Site: 300 Goldsboro Ave.

Property Identification Numbers (PIN) RO8818-001-015-000

Acreage/Sq. Ft: Unknown Existing Zone: HB Requested Zone: R-1

Signature of Petitioner: M. Troy Slaughter WINNER ENTERPRISES OF Date: 12-16-2020  
CAROLINA BEACH, L.L.C.

#### PURPOSE OF ZONING DISTRICTS

The petitioner seeks to show that the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are: (1) to lessen congestion in the streets; (2) to provide adequate light and air; (3) to prevent the overcrowding of land; (4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; (5) to regulate in accordance with a comprehensive plan; (6) to avoid spot zoning; and (7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the Town.



# PETITION FOR A ZONING MAP AMENDMENT

**PETITIONER'S STATEMENTS:** This section is reserved for the petitioner to state factual information in support of the rezoning request. Any comments should be typed or written in block print on a separate piece of paper.

1. Please state the consistency of the proposed zoning map amendment with the Town's Land Use Plan and any other applicable *Town*-adopted plan(s).
2. Please describe the compatibility of the proposed rezoning with the *property* and surrounding area.
3. Please discuss the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.
4. Please explain the public need for additional land to be zoned to the classification requested.
5. Please discuss the impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.
6. Please include a description of the existing zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards).
7. Include any additional arguments on behalf of the map amendment requested.

### REQUIRED OWNER INFORMATION

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include New Hanover County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

Name	Street Address	City/State/Zip	NHC. PIN
Anthony Giardina	505 N. Third Street	Carolina Beach	R08818-009-011-000
Keshia Heathcock	503 N. Third Street	Carolina Beach	R08818-009-014-000
Jennifer Haskins	504 N. Third Street	Carolina Beach	R08818-008-001-000
Marvin Boyette	215 Goldsboro Ave.	Carolina Beach	R08818-008-014-000
Allen Masterson	607 N. Lake Park Blvd.	Carolina Beach	R08818-001-020-000
Michael Repeta	213 Goldsboro Ave.	Carolina Beach	R08818-008-013-000

## Petition for a Zoning Map Amendment

### Petitioner's Statements:

1. Consistency of the proposed zoning map amendment with the Town's Land Use Plan and any other applicable Town-adopted plans(s):

**RESPONSE:** The proposed change would:

- (A) Facilitate the addition of single family homes.
- (B) Result in a less dense use of the land.
- (C) Help preserve the family-orientation of Carolina Beach.
- (D) Maintain lower structure heights due to R-1 zoning.
- (E) Preserve mature trees.
- (F) Reduce nonconforming use, i.e., removal of mobile homes.
- (G) Increase the tax base.
- (H) Facilitate work-at-home residences.
- (I) All utilities will be buried.
- (J) This area of Goldsboro Ave. is in the "High Suitability" range on the Land Suitability Analysis in the Land Use Plan.

2. Compatibility of the proposed rezoning with the property and surrounding area:

**RESPONSE:** The proposed change would have a minimal, if any, impact on the property and surrounding area.

3. Benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community:

**RESPONSE:** The proposed change would create a less dense use of land in the immediate area and surrounding community and would enable the addition of 2-3 residential structures. The value of the adjoining land would increase.



4. Public need for additional land to be rezoned to the classification requested:

**RESPONSE:** The proposed change would enable 2-3 homes to be built on the subject property, creating a less dense use of the land and supplying the demand for single family homes in Carolina Beach.

5. Impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.:

**RESPONSE:** The proposed change would result in a decrease in density of the property, potentially resulting in a decreased impact on public services, facilities, etc.

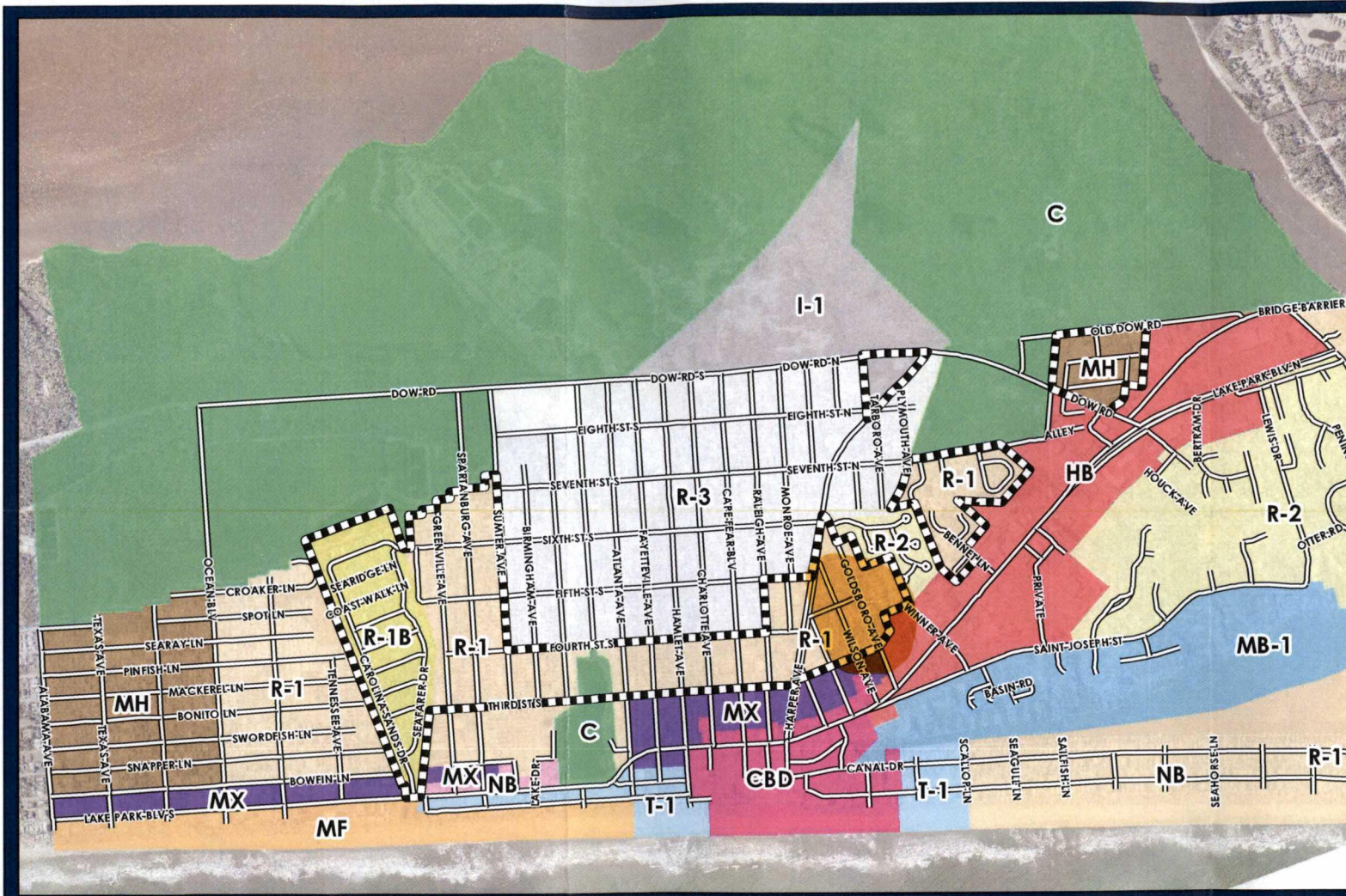
6. Description of existing zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards).:

**RESPONSE:** The existing zoning pattern has created a delineation between the HB zone and the R-1 zone on the property that does not follow a property line, a public street or any other discernible marking. It would be difficult, if not impossible, to determine which part of the property is in the HB zone and which part of the property is in the R-1 zone.

7. Additional arguments on behalf of the map amendment requested.

**RESPONSE:** The proposed change would clarify a long-standing discrepancy on the zoning map of Carolina Beach and it would also comply with many of the most important goals of the Land Use Plan, as described in the response to Question 1, above.



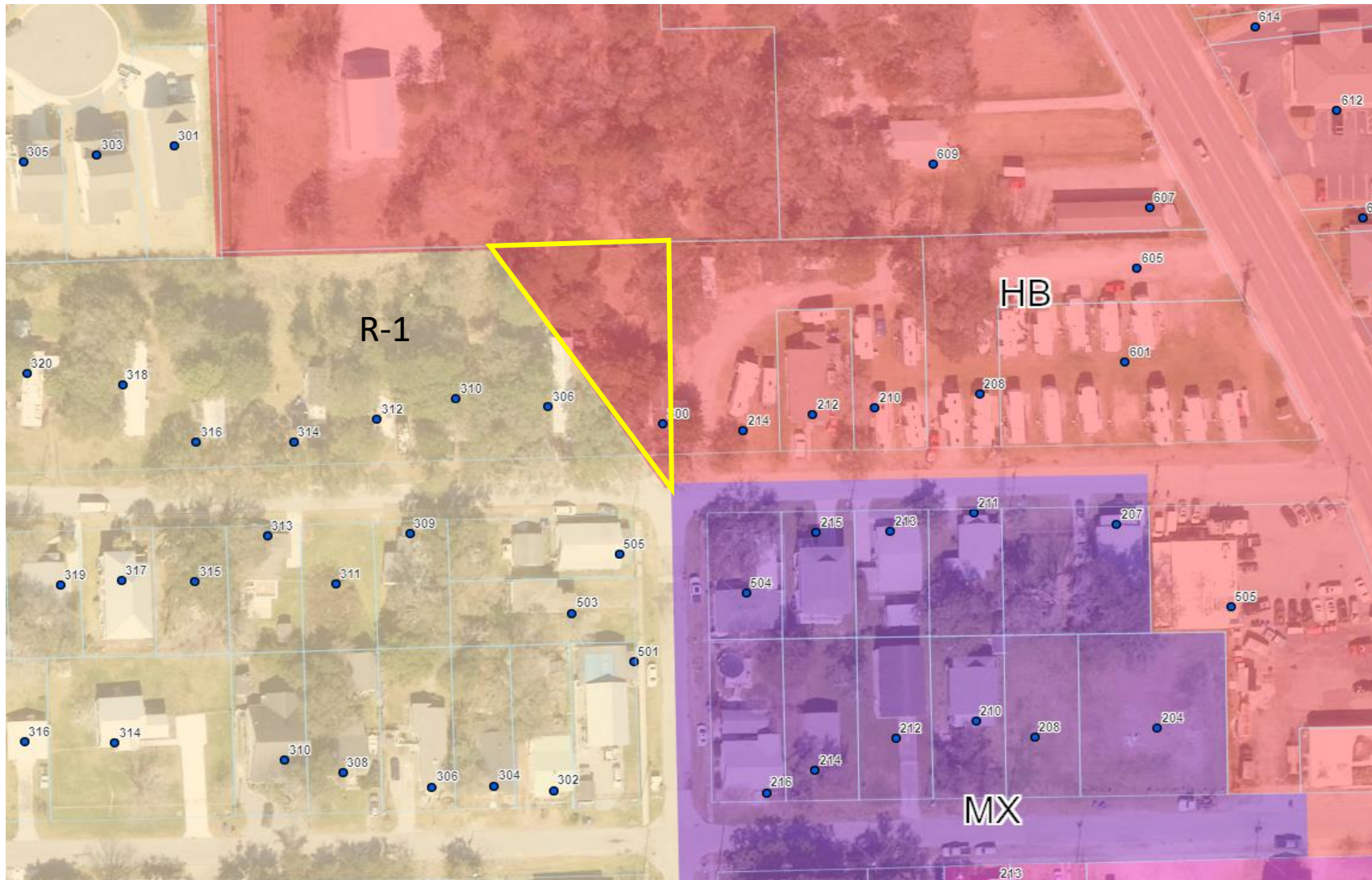


Disclaimer: This map is to be used for general informational purposes only. Spatial data used to generate this map was gathered from the best available sources and represent a condition at a fixed period in time. 100% accuracy of spatial data to current circumstances cannot be guaranteed. The Town of Carolina Beach assumes no responsibility for errors arising from misuse of the data provided.

# Town of Carolina Beach Zoning Map 2020

Aerial Imagery: Courtesy of New Hanover County  
Date Flown: 2019







Consider a Zoning Map Amendment to  
rezone a portion of 300 Goldsboro from HB  
to R-1.

Applicant: Troy Slaughter

3/9/2021  
Miles Murphy – Senior Planner

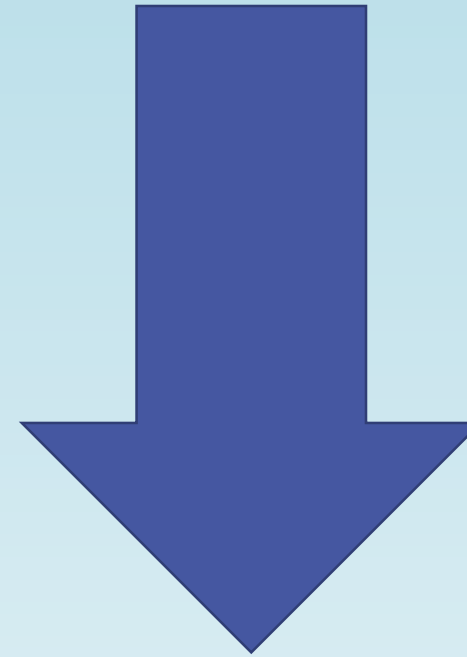
# 300 Goldsboro



# Downzoning?

- Under new State Law, only the owner of a property may petition to downzone a property
- Downzoning is reducing the density/intensity of a property
- Neighbors or other 3<sup>rd</sup> parties are no longer allowed to petition for a downzoning

MANY DENSE/INTENSE USES



FEWER USES WITH REDUCED  
DENSITY/INTENSITY

Highway Business

Commercial Only  
Greater Density

Mixed Use

Mixed  
Commercial &  
Residential  
Less Dense  
(depending upon  
use)

Residential 1

Strictly  
Residential

# LUP – Medium Density

Mostly medium-sized lots (min. 5,000 sq ft) with primarily single family detached residences. Smaller-scale, attached residences (two-family homes and townhomes) allowed occasionally if contextually compatible. Some small-scale commercial, restaurants, or offices are encouraged at select locations with good access. Low- to medium-traffic streets with pedestrian facilities.



# Action

## New Statutory Requirements

The General Assembly amended G.S. 153A-341 and 160A-383 to add more specificity to the law regarding the mandated plan consistency statements. The amended statute still requires approval of a statement and the statement still must describe plan consistency and explain why the proposed action is **reasonable and in the public interest**. However, the form of the required statement has changed. The statement must take one of three forms:

- A Statement of Approval – The Town Council, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of the Zoning Map Amendment for 300 Goldsboro in the Town of Carolina Beach is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. (If applicable - List any modifications)
- A statement approving the proposed Zoning Map Amendment and declaring that this also amends the plan, to meet the vision of the community that were taken into account in the zoning amendment.
- A Statement of Denial – The Commission deny the adoption of the following Zoning Map Amendment based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long range planning documents.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Miles Murphy, Senior Planner

**DEPARTMENT:** Planning

**MEETING:** Town Council – 09 MAR 2021

**SUBJECT:** Consider a Text Amendment to Chapter 40, Article 3 and Article 17, Conditional Zoning

Applicant: Town of Carolina Beach

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**BACKGROUND:**

160D and Conditional Zoning Background information

**ACTION REQUESTED:**

Staff recommends approval of the Text Amendment

P&Z voted 7-0 in favor of the Text Amendment

**RECOMMENDED MOTION:**

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40, Article III, Sec. 40-71, 72 and Article XVII, Sec. 40-527 is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.

## Planned Unit Developments



### ORDINANCE NO. 21-1149

## Amend Chapter 40 Zoning Article III, Sec. 40-71, 72 Table of Permitted Uses and Article XVII Sec. 40-527

### Article III, Sec 40-71 Table of Permitted Uses

- (a) *Generally.* The table in section 40-72 sets forth the permitted, conditional zoning, and ~~conditional~~special uses allowed in each zoning district..
- (1) *Permitted by right (P).* The letter "P" in the zoning district column opposite the listed use means the use is permissible by right in the zoning districts in which it appears.
  - (2) *Conditional Zoning (CZ).* The letter "CZ" in the zoning district column opposite the listed use means that ~~a conditional use permit~~conditional zoning, as set forth in Article ~~XVII~~XI of this chapter, must be obtained before the use may be created.
  - (3) Special Use Permit (S). The letter "S" in the zoning district column opposite the listed use means that a special use permit, as set forth in article XI of this chapter, must be obtained before the use may locate in the district in which it appears.
  - (34) *Prohibited.* A use specifically prohibited in the table of permissible uses for every zoning district. Any use listed as prohibited has been reviewed and considered as having a detrimental impact on the health and safety of the community.
  - (45) *Exemptions.* The following may be exempted from the one customary accessory building: fence, flagpole or dog house not to exceed 16 square feet; pump house not to exceed 16 square feet; and a playhouse not to exceed 36 square feet nor eight feet in height, or as may be provided for under article XI~~XVII~~ of this chapter (conditional zoning use). The exemptions are not to have sewer, electrical, and plumbing except for a pump house. These exemptions are not considered part of the lot coverage.
- (b) *Use designation.*
- (1) If a "P" or "CZ" or "S" does not appear in a zoning district column opposite a listed use, the use is not permitted in that zoning district.
  - (2) Uses not listed. The permitted, not permitted or conditional status of any use not listed in the table of uses shall be determined by the zoning administrator based upon the administrator's comparison of similar uses as allowed in similar locations. The zoning administrator may refer any unlisted use to the board of adjustment for interpretation. The zoning administrator's determination may also be appealed to the board of adjustment in accordance with the provisions of article XVI of this chapter. No interpretation shall be made which would change the character of a zoning district relative to the purpose of such zoning district and the other uses allowed.
  - (3) Interpretation of unlisted uses. Where a proposed use is not specifically listed in the table of permissible uses, the zoning administrator may permit the proposed use upon a determination that the proposed use has an impact similar in nature, function, and / or duration similar to another permitted used listed in the table of permissible uses. The zoning administrator shall give due consideration to the purpose and intent

statements in this section concerning the base zoning district(s) involved, the character of the uses specifically identified, and the character of the use(s) in question.

- (4) Standards for approving unlisted uses. In order to determine if a proposed use(s) has an impact that is similar in nature, function, and duration to the other approved uses allowed in a specific zoning district, the zoning administrator shall assess all relevant characteristics of the proposed use, including but not limited to the following:
  - a. The volume and type of sales, retail, wholesale, etc.;
  - b. The size and type of items sold and nature of inventory on the premises;
  - c. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution;
  - d. Any dangerous, hazardous, toxic, or explosive materials used in the processing;
  - e. The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process, inventory, and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders);
  - f. The type, size, and nature of buildings and structures;
  - g. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes;
  - h. Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and
  - i. The impact on adjacent lands created by the proposed use.
- (5) Decision by zoning administrator.
  - a. Typical use: Added to ordinance. In making the determination, the zoning administrator shall recommend a text amendment to this section if it is determined the proposed use is common or likely to recur frequently, or that omission of specific inclusion and reference in the table of permitted uses is likely to lead to public uncertainty and confusion. Until final action is taken on a proposed amendment, the interpretation of the zoning administrator shall be binding.
  - b. Atypical uses. In making a determination whether to approve a proposed use that is not listed in the table of permissible uses, an unlisted use, the zoning administrator interpretation shall be binding. Aggrieved parties may appeal the interpretation to the BOA.

**Article III, Sec 40-72 Table of Permitted Uses**

P = Permitted.

CZ = [May be permitted with conditional zoning](#)

S = [May be permitted by special use permit](#)

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
<b>Residential Uses</b>														
Two-family dwellings	P					P	P	P				P	P	

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Manufactured home, on standard, single-family lot (See section 40-261)						P								
Multifamily dwellings (See section 40-260) Units <= 4							P	P				P	P	
Multifamily dwellings (See section 40-260) Units > 4							CZ	CZ				CZ	CZ	
Planned unit development, residential (See article XII of this chapter) Units <= 4	P		P			P	P	P			P	P	P	
Planned unit development, residential (See article XII of this chapter) Units > 4	CZ		CZ			CZ	CZ	CZ			CZ	CZ	CZ	
Single-family detached	P	P	P	P	P	P	P	P		P		P	P	
Attached single-family residential							P	P		P		P	P	
<b>Accessory Uses</b>														
Accessory uses and structures, including garages, carports, etc. (See sections 40-261, 40-548)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home occupations, customary (See sections 40-261, 40-548)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Swimming pools, private (See sections 40-261, 40-548)	P	P	P	P	P	P	P	P		P			P	
Swimming pools, public (See sections 40-261, 40-548)	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
<b>Nonresidential Uses</b>														
Adult entertainment establishment (See sections 40-261, 40-548)														CZ
Aircraft takeoff and landing zone (See sections 40-261, 40-548)	Prohibited													
Animal care facility											P			
Animal care facility with outdoor area (See section 40-261)											CZ			
Arcades, rides, games in enclosed buildings									P		CZ			
Art galleries (See section 40-548)								P	P	P	P	P		

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Auctions sales									P		P			
Automobile repair garages, including engine overhauls, body and paint shops and similar operations in enclosed buildings (See sections 40-261, 40-548)										<u>CZ</u>	P			P
Automobile service stations and convenience stores									P	P	P			
Bakeries, retail, off-premises sales											P			P
Bakeries, retail, on-premises sales only									P	P	P			
Banks/financial institutions									P		P			
Barber shops									P	P	P			
<del>Bars and taverns (See section 40-261)</del>									<del>€</del>		<del>€</del>	<del>€</del>	<del>€</del>	<del>€</del>
Boat and personal water craft (PWC) sales and rental									P		P	P	P	P
Body Piercing Facility											<u>CZ</u>			
Bus terminal									P		P			
Cafeteria or dining room for employees of permitted uses														<u>CZ</u>
Car wash (See section 40-548)											P			
Cemeteries, public and private (See section 40-261)														<u>CZ</u>
Churches/places of worship/parish houses	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	P		<u>CZ</u>			
Commercial indoor recreation, such as bowling alleys, etc.											P			
Commercial outdoor recreation, such as miniature golf, golf driving ranges, par-3 golf courses, go carts and similar enterprises (See section 40-261)											P			P
Contractors offices, no outdoor storage									P		P			P
Day nurseries, day care centers and preschools (See sections 40-261, 40-548)	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	P	P	P

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Distillery									P		P			P
Drop-in child care providers (See sections 40-261, 40-548)	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	P	P	P	P	P	P	P	P
Dwelling for caretaker on premises where employed											P	P		P
Drive-in/thru facility											P			
Dry stack storage facilities												P		
Ear piercing Facility											P			
Eating and/or drinking establishments (See section 40-261)														
Bars and taverns (See section 40-261)									<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>
Standard restaurants and eateries								P	P	P	P	P	P	P
Exhibition buildings									<u>CZ</u>		P			P
Exterminator service business offices, no outdoor storage of materials or equipment									P		P			P
Fire stations, emergency services, nonprofit	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>			<u>CZ</u>
Fishing piers; public and private									P					
Funeral homes									P		P			
Furniture stores											P			
Gardens, arboretums and greenhouses, items for sale									P	P	P			P
General retail sales								P	P	P	P	P		P
Government/Public facilities and utilities (See section 40-261)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ice-cream stores								P	P	P	P			
Laundries and dry cleaning, delivered by customers									P	P	P			

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Laundromats, self-service									P	P	P			
Libraries	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>				P	P	P	P			
Live entertainment complexes in enclosed buildings									<u>CZ</u>		<u>CZ</u>			
Manufacturing incidental to retail business, sold on premises only, maximum of five manufacturing operators									P		P			P
Marinas, docks and/or piers, private	P				<u>CZ</u>							P		
Marinas, docks and/or piers, public or commercial	<u>CZ</u>				<u>CZ</u>				P			<u>CZ</u>		
Medical and dental clinics								P	P		P			P
Meeting facilities	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	P		P			P
Mixed use commercial-residential (See section 40-261)								P	P	P	P	P	P	
Motels and hotels								<u>CZ</u>	<u>CZ</u>		<u>CZ</u>		<u>CZ</u>	<u>CZ</u>
Motels and hotels, operated with a marina												<u>CZ</u>		
Multi-use facility								P	P	P	P	P	P	P
Municipal parking decks									P					
Museums					P				P		P		P	P
Nursery, garden and landscaping, display and sales											P			P
Offices, public, private or civic								P	P	P	P	P	P	P
Outdoor amusements, carnival and rides									<u>CZ</u>		<u>CZ</u>			
Parking lot, commercial—temporary (See section 40-261)									P					
Parking lot, commercial—permanent (See section 40-261)									P					
Parking lot, town operated (See section 40-261)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Private parking decks									<u>CZ</u>					



USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Parking and loading areas serving uses in the same zoning district, on same or contiguous lot (See article V of this chapter)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parking and loading areas serving uses in the same zoning district, on non-contiguous lot (See article V of this chapter)	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	P	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>
Pet shops and pet supply stores									P		P			
Photographic studio								P	P	P	P			
Planned unit development, business (See article XII of this chapter)									<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	
Post offices									P		P			P
Postal mailing services, commercial									P		P			P
Printing/reprographics									P		P			P
Radio, computer, television and appliance repairs and rental service									P		P			
Rental of any item, the sale of which is permitted in the district									P		P	P		
Rental of golf carts, mopeds, and scooters (See section 40-261)*								P	P	P	P	P		P
Repair of any item, the sale of which is permitted in the district									P		P	P		
Schools, commercial for specialized training									P		P			P
Schools, public	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>			<u>CZ</u>
Schools, private, general instruction	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>			<u>CZ</u>
Seafood production and/or processing and/or dockage, wholesale and retail												<u>CZ</u>		<u>CZ</u>
Shopping centers/big box								<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Spa health club									P		P			
Studios, artist, designers, gymnasts, musicians, sculptures								<u>CZ</u>	P		P			
Tailor shops								P	P		P			
Tattoo studios (See sections 40-261, 40-548)											<u>CZ</u>			
Telephone exchange									P		P			P
Tennis courts, commercial (See section 40-261)									<u>CZ</u>		<u>CZ</u>			
Tennis courts, private (See section 40-261)	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>		<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>
Theaters, in enclosed structure									P		P			
Theaters, open air drama									<u>CZ</u>		<u>CZ</u>			<u>CZ</u>
Trailer, business									<u>CZ</u>					
Trailer park, travel (See section 40-548)														
Trailer, temporary construction (See section 40-261)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities, private (See section 40-261)	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	P	P	P	P	P	P
Vehicle sales lot and rental lot (See section 40-261)											P			P
Water oriented businesses									<u>CZ</u>			<u>CZ</u>		
Wholesale sales									P		P	P		P
Wine and beer shops ( <a href="#">Retail/Off-Premise</a> )									P		P			
Wireless telecommunications facilities	See article X of this chapter													
<b>Manufacturing, Assembly and Processing</b> (See section 40-261)														
Beverages, bottling works														P
Breweries (See section 40-261)									P		P			P

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Flammable liquid storage, >1,000 gallons aboveground only (See section 40-261)														CZ
General assembly and repair											CZ			P
Ice manufacture, sales and storage											P			P
Manufacturing and assembly, processing, and packaging, except those uses identified in section 40-261														P
Planned development, industrial														CZ
Sign painting and sign fabrication											P			P
Storage yard, outdoor (See section 40-261)														
Recreational vehicle/boat storage, yard (See section 40-261)											P	P		P
Towing service impound yard											CZ			P
Warehouses, storage. Large and mini														P
Woodworking shops														P

\* **Note:** Rental of these items may be permitted in the designated zoning districts as an accessory use to other permitted commercial uses if parking and other standards can be met.

**Article XVII Sec. 40-527**

**(1) PURPOSE**

(a) A conditional zoning district allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such a nature or scale that they have significant impacts on both the immediately surrounding area and on the entire community which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, if properly planned, be appropriate for the property consistent with the objectives of these regulations, the adopted land use plan, adopted area plans and other long range plans. The review process established in this section provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use with the use and enjoyment of neighboring

properties. A conditional zoning district is generally not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved district or area plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

- (b) All uses listed as part of any application shall be in the same format and description as listed in the table of uses.
- (c) A conditional zoning and a zoning map amendment are occurring simultaneously in a conditional zoning hearing. Therefore, except as provided herein, all applications to establish a conditional zoning district shall follow the regulations related to conditional zoning in addition to the standard zoning map amendment (rezoning) process as described in this ordinance.

**(2) APPLICATION AND CONDITIONAL ZONING REVIEW PROCEDURE**

- (a) The application for a conditional rezoning approval shall also be accompanied by an application to amend the zoning map (rezoning) to a conditional development zoning district. The rezoning application shall be submitted concurrently with the conditional zoning site plan. The procedure for such shall be followed as outlined in Article 17. The approved site plan shall provide the framework for development in the conditional zoning district. All applications shall include a site plan meeting Article 13 and any development standards to be approved concurrently with the rezoning application. Development standards may include such things as parking, landscaping, design guidelines, and buffers.
- (b) All proposals for a conditional zoning application shall abide by the uses and the dimensional standards required by the underlying base zoning district for which the proposal is located.
- (c) An application for conditional zoning approval shall be accompanied by 2 hard copies and a digital copy of a conditional zoning site plan.
- (d) Application timeline:

<u>Order of Review</u>	<u>Number of Copies</u>	<u>Deadline for Submittals</u>
1. <u>Technical Review Committee</u>	<u>2 paper and an electronic</u>	<u>14 days prior to the regularly scheduled meeting date</u>
2. <u>Planning and Zoning Commission</u>		<u>14 days prior to the regularly scheduled meeting date</u>
3. <u>Town Council</u>		<u>14 days prior to the regularly scheduled meeting date</u>

- (e) When evaluating an application for the creation of a conditional zoning district, the Planning & Zoning Commission and Town Council shall consider the following:
  - 1. The application’s consistency to the general policies and objectives of the Town’s CAMA Land Use Plan, any other officially adopted plan that is applicable, and the Zoning Ordinance.
  - 2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
  - 3. The report of results from the public input meeting.

**(3) PUBLIC INPUT MEETING**

- (a) Prior to scheduling a public hearing on the rezoning application, the applicant shall conduct one (1) public input meeting and file a report of the results with the Zoning Administrator.
- (b) The report for the public hearing will include a summary of the public input meeting.

- (c) The applicant shall mail a notice for the public input meeting to the owners of all properties located within 500 feet of the perimeter of the project bounds not less than 10 days prior to the scheduled meeting.
- (d) The notice shall include the time, date, and location of the meeting as well as a description of the proposal.
- (e) The applicant's report of the meeting shall include:
  - 1. A copy of the letter announcing the meeting
  - 2. A list of adjoining property owners contacted
  - 3. Attendance rosters
  - 4. A summary of the issues discussed
  - 5. The results of the meeting including changes to the project's proposal, if any.

#### (4) CONDITIONS TO APPROVAL OF PETITION

- (a) In approving a petition for the reclassification of property to a conditional zoning district, the Planning & Zoning Commission may recommend, and the Town Council may request that the applicant add reasonable and appropriate conditions to the approval of the petition.
- (b) Any such conditions should relate to the relationship of the proposed use to the impact on the following details:
  - 1. Town services
  - 2. Surrounding property
  - 3. Proposed support facilities such as parking areas and driveways
  - 4. Pedestrian and vehicular circulation systems
  - 5. Screening and buffer areas
  - 6. Timing of development
  - 7. Street and right-of-way improvements
  - 8. Infrastructure improvements (i.e. water)
  - 9. Provision of open space
  - 10. Other matters that the participants in the public input meeting, staff, Planning & Zoning Commission, and Town Council find appropriate or the petitioner may propose
- (c) Such conditions to approval of the petition may include right-of-way dedication, easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.
- (d) The petitioner shall consider and respond to any such conditions after the Planning & Zoning Commission meeting and within three (3) days prior to the staff report for the Town Council being published. If the applicant does not agree with the Planning & Zoning Commission or staff's recommendations of additional conditions, the Town Council shall have the authority to accept none, any, or all of the conditions forwarded from the review process.
- (e) If any condition required at approval is later found to be illegal, the petition shall be returned to Town Council to reevaluate and adjust any conditions accordingly.

#### (5) EFFECT OF APPROVAL

- (a) If a petition for conditional zoning is approved, the development and use of the property shall be governed by the predetermined ordinance requirements applicable to the district's classification, the approved site plan for the district, and any additional approved rules, regulations, and conditions, all of which shall constitute the zoning regulations for the approved district and are binding on the property as an amendment to these regulations and to the zoning maps.

- (b) Following the approval of the petition for a conditional zoning district, the subject property shall be identified on the zoning maps by the appropriate district designation. A parallel conditional zoning shall be identified by the same designation as the underlying general district followed by the letters "CZ" (for example "CBD-CZ"). No permit shall be issued for any development activity within a conditional zoning district except in accordance with the approved petition and applicable site plan, subdivision plat, and/or permit for the district.
- (c) Any violation of the approved regulations and conditions for the district shall be treated the same as any other violation of this ordinance and shall be subject to the same remedies and penalties as any such violation.

(6) REVIEW OF APPROVAL OF A CONDITIONAL ZONING DISTRICT

- (a) See Sec.40-397 for duration and termination of a vested right

Adopted this 9<sup>th</sup> day of March, 2021.

\_\_\_\_\_  
 LeAnn Pierce, Mayor

Attest:

\_\_\_\_\_  
 Kimberlee Ward, Town Clerk



# Conditional Zoning

March 9<sup>th</sup>, 2021  
Miles Murphy – Senior Planner

# Background

- State Statute changes from 153/160A to 160D for Zoning
- Conditional Use Permits are no longer permitted – changing to Special Use Permits or Conditional Zoning
- Transitioning all CUP Uses to Conditional Zoning (CZ)
- Reviewing Table of Permissible Uses at a future date, based on TC direction, to reassess which uses require additional scrutiny and which uses should be permitted by right



# Legislative (Conditional Zoning) vs QJ (CUP/SUP)

	<b>Legislative</b>	<b>Quasi Judicial</b>
<b>Notice of Hearings</b>	Both newspaper notice and mailed notice to owners and neighbors are required. Additional Public Scoping Meeting	Only notice to parties to the matter is required unless ordinance mandates otherwise.
<b>Speakers at Hearings</b>	No limit based on standing, reasonable time limits and limit related to repetition	Witnesses presenting testimony can be limited to relevant evidence that is not repetitious.
<b>Evidence</b>	<b>None is required</b>	Substantial, competent, material evidence must be put in the record; witnesses are under oath, subject to cross-examination
<b>Findings</b>	<b>None are required</b>	Written findings of fact are required.
<b>Records</b>	Regular minutes are satisfactory	Detailed record of testimony is required; clerk should retain all exhibits during period of potential appeal.

# Public Meeting (optional but recommended by staff)

- Opportunity for project to be announced to community prior to officially applying to the Town and staff going through standard notification processes for P&Z and TC
- Chance for discussion without requirements of public hearing regulations or Town staff
  - Dialogue between citizens and applicant about the specific project
  - May be attended by board members if they choose (no QJ limitations)
- Details of meeting are a required part of the submission to staff
  - Meeting Announcement
  - Adjacent Owners Contacted
  - Attendance Log
  - Basic minutes
  - Changes to project from meeting discussions noted
- Allows for dialogue, transparency, and compromise
- Wilmington, Pender, Greensboro, and many other communities require the meeting between Applicant and Public

# Staff Recommendation

Staff recommends approval of the Text Amendment

Planning and Zoning voted 7-0 in favor of the Text Amendment – including the public meeting

# Amend Chapter 40, Article III, Sec. 40-71, 72 and Article XVII, Sec. 40-527

- (1) It is recommended that Town Council open the public hearing for comments.
- (2) Close the public hearing
- (3) Consider approval or denial of the proposal and make a motion according to the appropriate statement.

## New Statutory Requirements

The General Assembly amended G.S. 153A-341 and 160A-383 to add more specificity to the law regarding the mandated plan consistency statements. The amended statute still requires approval of a statement and the statement still must describe plan consistency and explain why the proposed action is **reasonable and in the public interest**. However, the form of the required statement has changed. The statement must take one of three forms:

- A Statement of Approval – The Council, whereas in accordance with the provisions of the NCGS 160A-383, does hereby find and determine that the adoption of a Text Amendment: To amend Chapter 40 Zoning, Article III, Sec. 40-71, 72 and Article XVII, Sec. 40-527 to adopt conditional zoning, in the Town of Carolina Beach, it is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. (If applicable - List any recommended restrictions or requirements)
- A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.
- A Statement of Denial – Town Council deny the adoption of the following ordinance amendment based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long range planning documents.

# Action

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40, Article III, Sec. 40-71, 72 and Article XVII, Sec. 40-527 is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

- A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.



## AGENDA ITEM COVERSHEET

**PREPARED BY:** Kim Ward

**DEPARTMENT:** Town Clerk

**MEETING:** Town Council – 3/9/2021

**SUBJECT:** Public Hearing to Review Requests from Non-Profit Organizations for General Fund Contributions

### **BACKGROUND:**

The following organizations have submitted the required documentation to request funding from the general fund:

Non-Profit	Amount Requested	Amount Awarded	Project
	2021/2022	2020/2021	
CB Inlet Association	\$7,500.00	\$3,750.00	Education
Federal Point Historic Society	\$9,000.00	\$4,000.00	History Center
Friends of Felines	\$2,000.00	\$1,000.00	Spay/Neuter
Friends of Fort Fisher	\$5,000.00	\$2,500.00	Staffing
Island of Lights	\$5,000.00	\$1,000.00	Activities
Katie B. Hines Senior Center	\$12,000.00	\$12,000.00	Operations
Pleasure Island Sea Turtles	\$6,000.00	\$7,700.00	Monitoring

### **ACTION REQUESTED:**

Mayor Pierce will read the names of the non-profit organizations and the amount they are requesting. A motion will be made to open the public hearing for anyone (public or applicant) to speak on any of the requests listed above.

Council will discuss the requests at an upcoming budget workshop.



[www.CarolinaBeachInletAssociation.org](http://www.CarolinaBeachInletAssociation.org)

## ***Securing The Future Of Carolina Beach Inlet Keeping It Open & Safe For Navigation***

February 23, 2021

RE: Request for funds for Carolina Beach Inlet Association

To: Mayor Leann Pearce & Carolina Beach Town Council Members

First, Thank you for your past support of the Carolina Beach Inlet Association.

The last 12-months have proven difficult for the Carolina Beach Inlet Association. COVID-19 has precluded us from having normal board meeting, membership meetings, and events- impossible. Our membership renewals are down significantly as a result.

Our ability to raise funds through our normal functions over the last year has been non-existent. Fortunately, our past Presidents managed our funds in such a way we could survive and manage through some tough times.

In the past, the town has contributed as much as \$7500 to help support the Carolina Beach Inlet Association's operations. We understand the Town, may also be facing budget revisions and the Carolina Beach Inlet Association would be very much thankful for any support the town is willing to contribute.

The CBIA has now acquired alternative ways to start having our meetings, via Zoom for our last board meeting and for our general membership meetings, starting in March 2021. And even in the pandemic we have continued our educational efforts, using email, and social media to reach both members, businesses and other supporters of our efforts to keep the inlet open and safe for navigation.

We also support other non-profits such as the American Legion Post 129 where we have our board and membership meetings. We are members of the NC Beach Inlet & Waterway Association, as we share many mutual interests. We also make contributions to support other local non-profits and are always quick to help when crisis occurs in the area, such as the recent events in Brunswick County.

**PO Box 1129 Carolina Beach, NC 28428 Telephone: (800) 900-3109**

**Website: [www.CarolinaBeachInletAssociation.org](http://www.CarolinaBeachInletAssociation.org)**

**Email: [info@carolinabeachinletassociation.org](mailto:info@carolinabeachinletassociation.org)**





www.CarolinaBeachInletAssociation.org

Cont'd

## **Securing The Future Of Carolina Beach Inlet Keeping It Open & Safe For Navigation**

We maintain a strong web presence and interact daily with social media followers. We fund and share reports from officials from UNCW, the USACE and USCG and others, with both members, non-members and followers. Additionally, we regularly provide information, reports and other items of educational benefit to the general public including economic impact studies related to both the economy and property values for the Carolina Beach area as it relates to the inlet.

In addition to our normal operating expenses and the expense of our own events, we sponsored several other local events in the past and will continue in 2021 whereas conditions permit, including; The Seafood & Jazz Festival, Step Up For Soldiers Chili Cookoff, and Got'em On Mackerel Tournament. All of which give us exposure to interact with those in the area.

The Carolina Beach Inlet Association is a non-profit 501(c3) educational organization. We are committed to educating both the general public and local, state and federal delegations.

Again, your past support is very much appreciated and we are most thankful for your continued support.

Best Regards,

Carlton A. Brown

President

Carolina Beach Inlet Association

### Board Members:

Jarvis Wise, Past President  
 Carlton Brown, President  
 Cindy Washington, Treasurer  
 Betsy Boykin, Secretary  
 Rod Bierstedt  
 Elmo Langley  
 Tim Ludgate  
 Rob Reeves

PO Box 1129 Carolina Beach, NC 28428 Telephone: (800) 900-3109

Website: [www.CarolinaBeachInletAssociation.org](http://www.CarolinaBeachInletAssociation.org)

Email: [info@carolinabeachinletassociation.org](mailto:info@carolinabeachinletassociation.org)



# Carolina Beach Inlet Association

## Profit & Loss

January through December 2020

Item 12.

Accrual Basis

	Jan - Dec 20
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Direct Public Support</b>	
<b>Individ, Business Contributions</b>	
Donations received	50.00
<b>Total Individ, Business Contributions</b>	50.00
Town of Carolina Beach	3,750.00
<b>Total Direct Public Support</b>	3,800.00
<b>Investments</b>	
Interest earned	558.41
<b>Total Investments</b>	558.41
<b>Other Types of Income</b>	
Membership Dues	10,815.00
Miscellaneous Revenue	2.00
<b>Total Other Types of Income</b>	10,817.00
<b>Total Income</b>	15,175.41
<b>Expense</b>	
<b>Business Expenses</b>	
Business Registration Fees	150.00
meal/entertainment	468.24
Mileage expense reimbursed	221.00
<b>Travel and Meetings</b>	
Travel	318.72
<b>Total Travel and Meetings</b>	318.72
<b>Total Business Expenses</b>	1,157.96
<b>Contract Services</b>	
Accounting Fees	250.00
<b>Total Contract Services</b>	250.00
<b>Facilities and Equipment</b>	
Equipment	462.24
<b>Rent</b>	
Meeting spaces	300.00
Storage Building	1,546.60
<b>Total Rent</b>	1,846.60
<b>Total Facilities and Equipment</b>	2,308.84
Interest Expense	11.54
<b>Operations</b>	
Bank Fees & Services	47.47
<b>Community Programs</b>	
Chowder Cookoff	50.18
<b>Total Community Programs</b>	50.18
Digital Services	3,000.00
<b>Donations made</b>	
Got-em-on Live Bait Club	0.00
Pleasure Island Habitat	150.00
Salvation Army	250.00
The Help Center of Federal Poin	500.00
<b>Total Donations made</b>	900.00

Carolina Beach Inlet Association  
**Profit & Loss**

Item 12.

Accrual Basis

January through December 2020

	<u>Jan - Dec 20</u>
Food / Meeting Set-up exp.	172.03
Memberships	250.00
Office Supplies	259.40
Postage, Mailing Service	843.11
Printing and Copying	478.57
Promotional Items	1,023.13
<b>Total Operations</b>	<u>7,023.89</u>
<b>Other Types of Expenses</b>	
Insurance - Liability, D and O	677.00
<b>Total Other Types of Expenses</b>	<u>677.00</u>
<b>Total Expense</b>	<u>11,429.23</u>
<b>Net Ordinary Income</b>	<u>3,746.18</u>
<b>Net Income</b>	<u><u>3,746.18</u></u>

## CBIA - 2021 Budget

	2020 Actual	2021 Budget
Town of CB	3750	7500
Membership Dues	10815	11000
Misc Revenue	<u>610</u>	<u>500</u>
 Total Revenue	 15175	 19000
 Business Exoenses	 1158	 2000
Accounting Fees	250	250
Facilities & Equipment	2309	2500
Donations Made	900	1000
Website Services	3000	3250
Operating Costs	<u>3812</u>	<u>7000</u>
 Total Expenses	 <u>11429</u>	 <u>16000</u>
 Net Income	 <u><u>3746</u></u>	 <u><u>3000</u></u>



## Federal Point Historic Preservation Society, Inc.

P. O. Box 623, Carolina Beach, North Carolina 28428

February 12, 2021

Honorable Mayor & Council  
Town of Carolina Beach  
1121 North Lake Park Boulevard  
Carolina Beach, NC 28428

Please consider the following request for a donation in your year 2021/2022 budget.

**Organization Name:** Federal Point Historic Preservation Society, Inc.  
**Organization Address:** P.O. Box 623  
1121-A North Lake Park Boulevard  
Carolina Beach, NC 28428  
**Staff Contact:** Rebecca Taylor – Manager  
(910) 458-0502

**The Federal Point History Center** is a function of the Federal Point Historic Preservation Society, Inc., a non-profit organization dedicated to the preservation, protection and portrayal of the Federal Point history through monthly newsletters, educational meetings, and exhibits. Our library and archives are also available to researchers, genealogists, and writers working on material related to the history of the Federal Point area.

Because of Covid, the History Center is open Fridays, and Saturdays year round, staffed by our contract employees and volunteers. ***The funds we are requesting will be used specifically for the public operation of the History Center, including utilities, insurance and other facility maintenance as well as for a portion of the salary of the History Center contract employees.***

When it's safe, our meetings will be held the third Monday of each month at the History Center where lecturers and speakers throughout the State present programs on historic topics. These programs are free to the public, with an average attendance of 40 members and guests.

**Total Request to the Town of Carolina Beach: \$9,000.00**

**Tax-exempt 501(c)(3) Federal Tax ID #: 56-1869814**

Sincerely,

By: Darlene J. Bright  
Darlene J. Bright, Director  
Federal Point Historic Preservation Society, Inc.

Cc: Bruce Oakley, Town Manager  
Debbie Hall, Finance Director  
Kim Ward, Town Clerk



## Federal Point Historic Preservation Society, Inc.

P. O. Box 623, Carolina Beach, North Carolina 28428

### Treasurer's Statement Federal Point Historic Preservation Society

February 12, 2021

Our organization does not require a formal audit. Detailed reports of all income and expenditures are presented to the membership at each monthly meeting. In addition, quarterly reports are closely reviewed by the Board of Directors. The Board also establishes and approves the budget each fiscal year.

The accounting procedures practiced by this organization were recommended and established by Bill Ufferman around 2004. At that time, Mr. Ufferman did an informal audit and review of the financial activities of the Society and helped the Society to establish the accounting system that is currently in use. Our system is transparent and accounts for all expenditures and receipts through the use of an industry approved electronic accounting system and spreadsheets.

Respectfully:

Darlene Bright  
Treasurer

Federal Point Historical Preservation Society  
**Profit & Loss Budget vs. Actual**  
 July 2020 through June 2021

1:20 PM  
 02/12/21  
 Accrual Basis

Ordinary Income/Expense	Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
4000 · Membership Dues				
4001 · Individual - New	160.00	500.00	-340.00	32.0%
4002 · Individual - Renewals	845.00	1,900.00	-1,055.00	44.5%
4003 · Individual - Lifetime	900.00	0.00	900.00	100.0%
4004 · Business - New	0.00	200.00	-200.00	0.0%
4005 · Business - Renewal	440.00	600.00	-160.00	73.3%
4000 · Membership Dues - Other	0.00	0.00	0.00	0.0%
<b>Total 4000 · Membership Dues</b>	<b>2,345.00</b>	<b>3,200.00</b>	<b>-855.00</b>	<b>73.3%</b>
<b>4008 · Fundraising</b>				
4008-1 Cookbook - Not Taxed	0.00	75.00	-75.00	0.0%
4008-2 Cookbook - Taxed	140.00	125.00	15.00	112.0%
4008-3 Fort Fisher Reenactment	0.00	0.00	0.00	0.0%
4008-4 Sheets	446.00			
<b>Total 4008 · Fundraising</b>	<b>586.00</b>	<b>200.00</b>	<b>386.00</b>	<b>293.0%</b>
<b>4010 · Donations</b>				
4025 Historic Boardwalk Tour	0.00	0.00	0.00	0.0%
4026 Historic Plaques	300.00	100.00	200.00	300.0%
4011 · Town of Carolina Beach	1,000.00	0.00	0.00	100.0%
4012 · Town of Kure Beach	1,500.00	1,500.00	0.00	100.0%
4013 · Donation box	130.61	283.00	-152.39	46.2%
4016 · Miscellaneous donations	2,289.78	150.00	2,139.78	1,526.5%
4018 · GOT-EM-ON LIVE BAIT CLUB	0.00	500.00	-500.00	0.0%
4010 · Donations - Other	0.00	0.00	0.00	0.0%
<b>Total 4010 · Donations</b>	<b>5,220.39</b>	<b>3,533.00</b>	<b>1,687.39</b>	<b>147.8%</b>
<b>4030 · Gift Shop</b>				
4031 · Taxed	1,455.16	500.00	955.16	293.0%
4032 · Not Taxed	0.00	100.00	-100.00	0.0%
4033 · Shipping and Handling	3.86			
4030 · Gift Shop - Other	0.00	0.00	0.00	0.0%
<b>Total 4030 · Gift Shop</b>	<b>1,469.02</b>	<b>600.00</b>	<b>869.02</b>	<b>244.8%</b>
<b>4035 · Sugar Loaf Earthworks</b>				
4040 · Walk of Fame	2,000.00	0.00	2,000.00	100.0%
4050 · Refunds	0.00	0.00	0.00	0.0%
4051 · Sales tax from State	16.18	50.00	-33.82	32.4%
4050 · Refunds - Other	0.00	0.00	0.00	0.0%
<b>Total 4050 · Refunds</b>	<b>16.18</b>	<b>50.00</b>	<b>-33.82</b>	<b>32.4%</b>
<b>4999 · Interest earned in Money Market</b>				
4999 · Interest earned in Money Market	13.81	25.00	-11.19	55.2%
<b>Total Income</b>	<b>11,650.40</b>	<b>7,608.00</b>	<b>4,042.40</b>	<b>153.1%</b>

**Federal Point Historical Preservation Society**  
**Profit & Loss Budget vs. Actual**  
 July 2020 through June 2021

1:20 PM  
 02/12/21  
 Accrual Basis

	Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget
Cost of Goods Sold				
50000 · Cost of Goods Sold	14.50			
Total COGS	14.50			
Gross Profit	11,635.90	7,608.00	4,027.90	152.9%
Expense				
5000 · General Operating				
5007 · Lewis Civil War Park	5,640.62			
5001 · Dues and subscriptions	75.00	75.00	0.00	100.0%
5003 · Fundraising Costs				
5004 · Fort Fisher Reenactment	0.00	0.00	0.00	0.0%
5003 · Fundraising Costs - Other	350.00			
Total 5003 · Fundraising Costs	350.00	0.00	350.00	100.0%
5005 · Historical sites committees				
Historic sites inventory,plaque	160.00	90.00	70.00	177.8%
Total 5005 · Historical sites committees	160.00	90.00	70.00	177.8%
5012 · Memorials				
5015 · Office supplies	0.00	0.00	0.00	0.0%
Computer supplies & operation	348.81	100.00	248.81	348.8%
Copy paper & stationery	96.29	100.00	-3.71	96.3%
Office supplies	112.71	100.00	12.71	112.7%
Postage	0.00	660.00	-660.00	0.0%
5015 · Office supplies - Other	0.00	0.00	0.00	0.0%
Total 5015 · Office supplies	557.81	960.00	-402.19	58.1%
5020 · Newsletter				
Postage	342.06	0.00	342.06	100.0%
Total 5020 · Newsletter	342.06	0.00	342.06	100.0%
5035 · Programs (tapes, film, supplies)				
5040 · Social events	0.00	0.00	0.00	0.0%
5045 · Walk of Fame	0.00	0.00	0.00	0.0%
Total 5000 · General Operating	7,125.49	1,125.00	6,000.49	633.4%
5050 · History Center Operation				
5051 · Bank Fees	0.00	0.00	0.00	0.0%
5052 · Copier lease & maintenance	691.42	1,161.00	-469.58	59.6%
5053 · Exhibits	0.00	0.00	0.00	0.0%
5055 · Gift shop costs				
Purchases	250.00	200.00	50.00	125.0%
5055 · Gift shop costs - Other	229.13	0.00	229.13	100.0%
Total 5055 · Gift shop costs	479.13	200.00	279.13	239.6%

Federal Point Historical Preservation Society  
Profit & Loss Budget vs. Actual  
July 2020 through June 2021

	Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget
5056 · Credit Card Fees	35.13	50.00	-14.87	70.3%
5057 · Gift shop sales tax pd	87.37	50.00	37.37	174.7%
5058 · Insurance	0.00	550.00	-550.00	0.0%
5060 · Lease	0.00	10.00	-10.00	0.0%
5063 · Paid Contractor McNeill, Cheri Taylor, Rebecca	1,890.00 1,760.00	2,880.00 2,880.00	-990.00 -1,120.00	65.6% 61.1%
<b>Total 5063 · Paid Contractor</b>	<b>3,650.00</b>	<b>5,760.00</b>	<b>-2,110.00</b>	<b>63.4%</b>
5065 · Security	240.00	240.00	0.00	100.0%
5070 · Utilities	466.83	850.00	-383.17	54.9%
5071 · Electric	261.48	350.00	-88.52	74.7%
<b>Total 5070 · Utilities</b>	<b>728.31</b>	<b>1,200.00</b>	<b>-471.69</b>	<b>60.7%</b>
5080 · Website	287.83	251.00	36.83	114.7%
<b>Total 5050 · History Center Operation</b>	<b>6,199.19</b>	<b>9,472.00</b>	<b>-3,272.81</b>	<b>65.4%</b>
<b>Total Expense</b>	<b>13,324.68</b>	<b>10,597.00</b>	<b>2,727.68</b>	<b>125.7%</b>
<b>Net Ordinary Income</b>	<b>-1,688.78</b>	<b>-2,989.00</b>	<b>1,300.22</b>	<b>56.5%</b>
<b>Net Income</b>	<b>-1,688.78</b>	<b>-2,989.00</b>	<b>1,300.22</b>	<b>56.5%</b>



**Balance Sheet**

As of February 12, 2021

	Feb 12, 21
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
1000 · Petty Cash	50.00
1035 · First Bank - Money Market	25,396.12
1045 · First Bank - Checking	9,246.23
Total Checking/Savings	34,692.35
Other Current Assets	
12000 · Undeposited Funds	21.35
12100 · Inventory Asset	-1,015.66
Total Other Current Assets	-994.31
Total Current Assets	33,698.04
Other Assets	
Sales Tax Adjustment	2.77
Total Other Assets	2.77
<b>TOTAL ASSETS</b>	<b>33,700.81</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	-1,902.97
Total Accounts Payable	-1,902.97
Other Current Liabilities	
25500 · Sales Tax Payable	1,006.59
Total Other Current Liabilities	1,006.59
Total Current Liabilities	-896.38
Total Liabilities	-896.38
Equity	
30000 · Opening Balance Equity	26,732.97
32000 · Unrestricted Net Assets	9,553.00
Net Income	-1,688.78
Total Equity	34,597.19
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>33,700.81</b>

**Friends of Felines**  
**Profit & Loss**  
**January through December 2020**  
Jan - Dec 20

**Ordinary Income/Expense**

**Income**

Award S/N	5,000.00
Contributions	31,061.99
Fundraising	17,759.92
Grant	5,000.00
PayPal	2,189.31
<b>Total Income</b>	<b>61,011.22</b>

**Expense**

**Advertising**

Dock Street Printing	220.42
PawPrints Magazine	180.00
<b>Total Advertising</b>	<b>400.42</b>

Bank Service Charges 48.00

Cat Food 2,311.01

Equipment 1,962.36

**Medical Expense**

CB S/N Award 2019	435.00
CB S/N award 2020	770.00
Petco Grant 2020	4,615.00
Rachel Ray 2020	5,000.00
Spay/Neuter Expense	30,913.93
Vaccines/Medical Supplies	2,596.79
Wilmington Furball 2019	1,000.00
Medical Expense - Other	858.10
<b>Total Medical Expense</b>	<b>46,188.82</b>

Office Expenses (incl gifts) 350.91

Supplies 61.25

Telephone 920.64

**Vehicle Expenses**

Gas	43.04
Vehicle Insurance	181.12
<b>Total Vehicle Expenses</b>	<b>224.16</b>

Website 330.41

**Total Expense** 52,797.98

**Net Ordinary Income** 8,213.24

**Net Income** 8,213.24



*FRIENDS OF FELINES*  
*P.O. Box 475*  
*Castle Hayne, N.C. 28429*

January 23, 2021

Dear Mayor Pierce, Mayor Pro Tem Healy, Councilmen Barbee, Garza & Shuttleworth,

Friends of Felines was formed in 1996 as a 501 c 3 Non Profit Rescue group in New Hanover County. We are requesting \$2,000.00 in funding to trap/neuter/vaccinate/return feral and free roaming cats in Carolina Beach. This will neuter and vaccinate approximately 60 cats. Historically, Carolina Beach has been a dumping ground for unwanted cats from the Wilmington area. Sadly, these unaltered cats have become feral and reproduced causing an overpopulation of cats on the island. Many residents have told us the cats have been there since they were kids.

Over the last 25 years the feral cat population has reduced greatly due to the TNVR program, however there is still much more to be done. We have already begun the process of identifying households that feed free roaming cats. The caregivers we have contacted are very positive in their response to any offer of assistance with their free-roaming cat colonies.

The funds we are requesting will help us continue to focus on the proactive approach as well as react to the current issues at hand. We are making a real difference in the overpopulation of feral and stray cats in this area with the help of committed caregivers and compassionate town council members like you.

Friends of Felines has a hotline and email address where residents who need help can get in touch with us to get help. We loan caregiver's traps and carriers, show them how to use them and schedule an appointment with one of our dedicated veterinarians in the area. If someone is elderly or physically cannot trap/transport, we will have a volunteer help.

Protocols:

1. Cats must be feral/free roaming or un-owned.
2. Cats must have a caregiver to provide food/water and as much shelter as possible.
3. Volunteer will speak with each person asking for assistance to make sure it is okay to trap on the property.
4. Volunteer/Caregiver must have the okay from homeowner/renter or resident
5. Flyers will be passed out and placed in doors to let people know what we are doing and when we will be there.
6. Cats will be trapped in a humane trap with a towel placed over it to keep the cats quiet.



*A 501 (c) (3) 56-1973859 Non-Profit Organization*  
*friendsofelines.org*

Cats will be transported to one of our participating Veterinarian hospitals where they will be seen by a licensed vet. Once under anesthesia, they will be given a physical and oral exam. The cats will then be spayed/neutered and vaccinated for rabies and distemper. They are placed in a carrier with a towel on the bottom where they will be observed during the recovery period. Volunteers/Caregivers will take the cats home for post-surgery observation (24 – 48 hours), then taken back to the area in which they were trapped and released.

Targeted TNVR will provide spay/neuter and vaccine services to approximately 85 cats and kittens in Carolina Beach. All of the Project's spay/neuter surgeries will be funded with this money. In addition, residents of the will be educated about feral cat care and the need for TNVR and the local community will be increasingly involved.

1. Target Identification:

We are working with New Hanover County Animal Services & Carolina Beach residents to determine the area of greatest need within the community. We appreciate any and all input on areas that need help.

2. Project effectiveness and impact:

We have in the past reduced the number of complaints to the town and Animal Services by reducing the number of cats in the area. Once a cat is fixed, poor behavior such as spraying, fighting, mating and roaming are greatly reduced if not eliminated. We want to continue the downward trend of complaints!

We also reduce killed or injured cats on our roads.

We also reduce the number of kittens born under porches, houses, sheds and in the woods. These kittens grow up and continue the breeding cycle.

We reduce the number of animals turned into Animal Services which costs the county approximately \$100 just to house and feed one cat prior to being euthanized.

Community involvement and education is the key to any programs success. Colony caregivers will become aware of the importance of spaying/neutering their animals and how easy it can be achieved. Spreading knowledge and information about caring for feral cats, and hands on training will be vital to the proper continuing care for these animals.

With this money we will be able to reduce the number of cat complaints to the town, cats that are killed or injured on the side of the road, help educate the people on the importance of fixing their animals, reduce the euthanasia rate from this area at animal services and most importantly save animals lives. It is a win-win proposal.

2021 Budget

Current year budget – we rely solely on donations. We spend as much money as we have available on spay/neuter, medical and food for feral cats that have gone through our program. Our budget varies based on donations. Our average spay/neuter cost per cat is \$35. This includes spay/neuter, rabies vaccine, distemper vaccine and ear tip.

*A 501 (c) (3) 56-1973859 Non-Profit Organization  
friendsofelines.org*

We have no paid employees. Our volunteers work out of their homes.

Major sources of funding are from donations and grants.

Financial Statement enclosed

Please see additional information on our program.

Cc: Bruce Oakley – Town Manager  
Debbie Hall - Finance Director  
Kim Ward – Town Clerk



ENHANCING THE NATIONAL TREASURE  
FORT FISHER STATE HISTORIC SITE

1610 Fort Fisher Blvd. S., Kure Beach, NC 28449  
Phone:(910) 251-7350 Fax: (910) 458-0477

February 24, 2021

Honorable LeAnn Pierce, Mayor and  
Members of Carolina Beach Town Council  
1121 N. Lake Park Boulevard  
Carolina Beach, NC 28428

Re: Non-Profit Request for Funding of \$5,000 for FY 2021 - 2022

Dear Mayor Pierce and Town Council Members

Thank you for your past support over the years including the current 2020 – 2021 grant of \$2,500 to the Friends of Fort Fisher. Your annual grants have been critical to the operations and success of Fort Fisher State Historical Site. The Town’s current grant is especially important to the Friends as we work with the State Historical Site during the recent periods of shutdown and limited operations. Until the Covid-19 shutdown the Fort was on track to receive 1 million visitors annually. Fort Fisher, by far, the most heavily visited State Historic Site in North Carolina and is pleased to join other popular local attractions bringing visitors to the area.

The Fort was acquired as a state historic site in 1962. Its mission is to preserve and interpret the history of Fort Fisher the largest earthwork fortification the American Civil War. Sadly only six of the original mounds exist due the erosion and World War II construction.

The Friends of Fort Fisher, Inc. is the official non-profit support organizations for the Fort Fisher State Historic Site. State appropriations do not provide for educational programs, part-time or seasonal staffing, or new or rotating exhibits, and so Fort Fisher State Historical Site depends on the Friends and contributions made to the Friend, for these needs as well as for some maintenance and promotional needs.

We are requesting \$5,000 so we can increase our support of the Site’s educational programming. In addition to (weather permitting) free daily tour, programming will include our Beat the Heat summer speakers’ series which gives folks an alternative to outside activities in the hot summer months, the Junior Reserve program (hands on educational programs targeted to children), a Civil War Artillery Program, WWII Anniversary Program, and special events including firing of the 32 pounder gun atop Shephard’s battery.

Because Fort Fisher visitors are mostly from out of area, they represent a significant spending source available to local businesses. Grant funds from the town of Carolina Beach will help expand educational programming in anticipation of the pending construction of a new \$21.5M visitor center and construction of three new earth mounds which will be designed to allow visitors; full access to enter and see how the Fort was defended. This project is currently in the design development phase and is using Clark Nexsen, a large architectural firm headquartered in Raleigh with considerable experience in educational buildings and handling state projects. This addition will make Fort Fisher an even more important national attraction and will increase the number of visitors who frequent local businesses.

Thank you for your consideration of this request. Your past support has made a difference in our ability to offer quality educational program. Please contact me if anything within this application needs further explanation.

Sincerely,



M. Tyrone Rowell  
Secretary  
Friends of Fort Fisher  
[rowellt@uncw.edu](mailto:rowellt@uncw.edu) (910) 799-9025

Attachments: 2020-2021 Friends of Fort Fisher operating budget  
2020-2021 Profit and Loss Statement  
Sources of Revenue (Shown as income on Operating Budget).

CC: Bruce Oakley, Town Manager  
Kim Ward, Town Clerk  
Debbie Hall, Finance Director  
Town Council



FRIENDS OF FORT FISHER  
BUDGET (July 1-June 30)  
2020-2021 Fiscal Year

Item 12.

GL #	INCOME:	2019-2020	2020-2021	1/31/21 YTD -Budget	
				YTD	(over)/unused
28625	Paver Sales		250		250
40111	Raffle	8,000	5,000	3,615	1,385
4011	Donation Box	9,500	3,000	5,673	-2,673
4016	Memberships/Gifts	20,000	10,000	6,139	3,861
4060	Local Government Support	9,000	8,500	8,550	-50
4015	Vending/ Penny Press	4,000	2,500	697	1,803
4100.1	155th Video Sales		100		100
7030	Points Redeemed (Credit Card Purchases)			951	-951
	Museum Store Transfers	53,200	18,236	4,184	14,052
	<b>Gross Income</b>	<b>103,700</b>	<b>47,586</b>	<b>29,808</b>	<b>17,778</b>
	Administrative Expenses	82,980	13,480	3,791	9,689
	Site Support	47,033	10,200	1,356	8,844
	<b>Total Expenses</b>	<b>130,013</b>	<b>23,680</b>	<b>5,147</b>	<b>18,533</b>
					0
	<b>Net Income</b>	<b>-26,313</b>	<b>23,906</b>	<b>24,661</b>	<b>-755</b>

GL #	Museum Store Estimate:	2019-2020	2020-2021	1/31/21 YTD -Budget	
				YTD	(over)/unused
4000	Income	135,000	100,000	46,321	53,679
5010	Cost of Merchandise	60,000	50,000	22,802	27,198
5015	Credit Card Merchant Fees	3,000	1,500	1,725	-225
	<b>Gross Income</b>	<b>72,000.00</b>	<b>48,500</b>	<b>21,794</b>	<b>26,706</b>
	Expenses				
6680	Payroll-Sharon	14,000	7,500	3,151	4,349
6683	Payroll-Emily	1,100	12,500	10,068	2,432
6682	Payroll Taxes		3,000	826	2,174
6619	Payroll Service	700	540	327	213
6610	Postage		24	11	13
6820	Shipping		700	6	694
6617	Supplies	2,500	2,000	340	1,660
6825	TAMS Software		2,000	1,630	370
6835	Escrow Equipment Update	500	2,000	1,251	749
	<b>Total Exp</b>	<b>18,800.00</b>	<b>30,264</b>	<b>17,611</b>	<b>12,653</b>
	<b>Transfer to FOFF</b>	<b>53,200</b>	<b>18,236</b>	<b>4,184</b>	<b>14,052</b>



**FRIENDS OF FORT FISHER  
BUDGET (July 1-June 30)  
2020-2021 Fiscal Year**

Item 12.

GL #	Administrative Expenses	2019-2020	2020-2021	1/31/21 YTD -Budget YTD	(over)/unused
6655	Bookkeeper	3,050	2,400	1,073	1,327
6665	Audit	1,200	1,400	200	1,200
6616	Insurance-Directors & Officers	1,000	1,000	854	146
6930	Meetings/Travel		500		500
7100	Membership Events				0
18670	Raffle Expense	1,700	1,000	94	906
6618	Office Supplies	500	500	480	20
6580	ED Payroll	60,700			0
6583	ED Payroll Taxes	4,650			0
6610	Postage		350	120	231
6620	Printing	1,200	1,500	338	1,162
6880	Telephone	1,200			0
6502	Donor Cultivation	500	250		250
6503	Donor Renewals	1,500	1,000		1,000
6670	Dues & Memberships	2,000	500	50	450
18625	Pavers Cost	700	250		250
6228	Website Cost	1,000	250	155	95
6060	Bank Fees	500	500	428	72
6761	Programs & Special Events		500		500
6665	Gift Software	1,080	1,080		1,080
6221	Email Blasts	500	500		500
<b>Total FOFF Operation Expenses</b>		<b>82,980</b>	<b>13,480</b>	<b>3,791</b>	<b>9,689</b>

GL #	SITE SUPPORT	2019-2020	2020-2021	1/31/21 YTD -Budget YTD	(over)/unused
6752	Site Promotion.	1,500	1,000		1,000
6770	Civil War Trail Insurance	200	200	200	0
6780	Exhibits	1,000	250		250
6719	Maintenance/Repairs	700	3,000	664	2,336
6620	Printing	2,500	250		250
6520	Temp Salaries	15,000	2,500		2,500
7000	Volunteer Recognition	600	500	412	88
6750	Special Programs	25,533	1,000		1,000
6760	Site Manager (Discretionary)		1,500	80	1,420
<b>Total FOFF Site Support Expenses</b>		<b>47,033</b>	<b>10,200</b>	<b>1,356</b>	<b>8,844</b>

**Bank Balances: 1/31/2021**  
**Bank of America 43,925.57**  
**BB&T (Truist) 621,759.65**  
**Vanguard Investments 199,710.06**



2:04 PM  
02/21/21  
Accrual Basis

# Friends of Fort Fisher Profit & Loss July 2020 through January 2021

	<u>Jul '20 - Jan 21</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4100 · Capital Campaign Income	
4100.2 · Capital Campaign-Donations	272,600.00
<b>Total 4100 · Capital Campaign Income</b>	<u>272,600.00</u>
4011 · Donations-General Donations/Box	5,037.90
40115 · Donations Check/Credit Card	635.00
40111 · Donations - Raffle Tickets	3,615.00
4016 · Donations-Members/Matching Gift	6,139.00
4060 · Local Government Funding	8,550.00
4015 · VENDING MACHINES	
40151 · Vending Machine - Penny Press	301.75
40152 · Vending Machine - Drink Machine	394.59
4015 · VENDING MACHINES - Other	0.50
<b>Total 4015 · VENDING MACHINES</b>	<u>696.84</u>
4000 · GIFT SHOP	
4031 · Miscellaneous	0.72
4030 · Sales Discounts	-1,498.86
4000 · GIFT SHOP - Other	47,837.88
<b>Total 4000 · GIFT SHOP</b>	<u>46,339.74</u>
<b>Total Income</b>	<u>343,613.48</u>
<b>Cost of Goods Sold</b>	
5015 · CC Merchant Fees	1,724.75
5010 · Gift Shop Merchandise	22,801.92
<b>Total COGS</b>	<u>24,526.67</u>
<b>Gross Profit</b>	<u>319,086.81</u>
<b>Expense</b>	
6680 · Gift Shop Compensation	
6683 · Gift Shop Mgr. Pay	3,150.75
6685 · Gift Shop Asst Manager	10,068.45
6682 · Taxes - Company Paid	825.89
<b>Total 6680 · Gift Shop Compensation</b>	<u>14,045.09</u>
<b>FOFF OPERATIONS</b>	
<b>PAYROLL EXPENSES</b>	
6619 · Payroll Service	327.42
<b>Total PAYROLL EXPENSES</b>	<u>327.42</u>
<b>OPERATIONAL EXPENSES</b>	
6650 · Audit/Professional Fees	200.00
6655 · Bookkeeper	1,073.26
6060 · Banking Fees	428.12
6618 · Office Supplies	479.54
6690 · Reconciliation Discrepancies	13.00
<b>Total OPERATIONAL EXPENSES</b>	<u>2,193.92</u>
<b>Total FOFF OPERATIONS</b>	<u>2,521.34</u>
<b>GIFT SHOP/CONCESSIONS</b>	
6835 · Escrow Equipment Update	1,251.00
6825 · TAMS Software	1,629.85
5000 · Gift Shop Inventory	79.80
6617 · GS Supplies/Updates	339.63
6820 · Shipping & Handling	6.35
<b>Total GIFT SHOP/CONCESSIONS</b>	<u>3,306.63</u>



2:04 PM  
02/21/21  
Accrual Basis

# Friends of Fort Fisher Profit & Loss July 2020 through January 2021

	Jul '20 - Jan 21
<b>INTREPRETATION SUPPORT</b>	
6770 · C. W. Trail Signs Ins	200.00
6719 · Maintenance/Repairs	664.30
6760 · Site Manager (Discretionary)	80.09
6610 · Postage and Delivery	130.90
6620 · Printing and Reproduction	337.65
6670 · Profesional Membership/Dues	
6228 · Web Hosting & Development	154.97
<b>Total 6670 · Profesional Membership/Dues</b>	154.97
Memberships/Subscriptions	50.00
7000 · Volunteers	331.78
<b>Total INTREPRETATION SUPPORT</b>	1,949.69
<b>SPECIAL PROJECTS/Fund Raising</b>	
18670 · Rifle Raffle	94.40
<b>Total SPECIAL PROJECTS/Fund Raising</b>	94.40
<b>OTHER ALLOCATIONS</b>	
6380 · Insurance	854.00
<b>Total OTHER ALLOCATIONS</b>	854.00
<b>Total Expense</b>	22,771.15
<b>Net Ordinary Income</b>	296,315.66
<b>Other Income/Expense</b>	
Other Income	
7030 · Other Income	951.13
<b>Total Other Income</b>	951.13
<b>Other Expense</b>	
8011 · Loss/Gain on Vanguard Acct.	-25,474.07
<b>Total Other Expense</b>	-25,474.07
<b>Net Other Income</b>	26,425.20
<b>Net Income</b>	322,740.86

2:04 PM

02/21/21

Accrual Basis

**Friends of Fort Fisher**  
**Balance Sheet**  
As of January 31, 2021

	Jan 31, 21
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1109 · BB&T Capital Campaign Account	621,759.65
1108 · BANK OF AMERICA	43,931.57
1130 · Cash on hand	800.00
<b>Total Checking/Savings</b>	666,491.22
<b>Other Current Assets</b>	
1150 · Gift Shop Inventory	15,863.17
Sales Tax Receivable	176.86
1140 · Vanguard	199,710.06
<b>Total Other Current Assets</b>	215,750.09
<b>Total Current Assets</b>	882,241.31
<b>Fixed Assets</b>	
1400 · Equipment	
1420 · Accumulated Depreciation	
1421 · office equipment	-19,164.02
1422 · improvements	-3,569.37
1423 · equipment	-49,827.52
1424 · Furniture	-2,472.09
<b>Total 1420 · Accumulated Depreciation</b>	-75,033.00
1400 · Equipment - Other	84,197.00
<b>Total 1400 · Equipment</b>	9,164.00
<b>Total Fixed Assets</b>	9,164.00
<b>Other Assets</b>	
1126 · FOFF Loan to Capital Campaign	82,000.00
1430 · Inventories	47,671.99
<b>Total Other Assets</b>	129,671.99
<b>TOTAL ASSETS</b>	1,021,077.30
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
2000 · Accounts Payable	-1,867.41
<b>Total Accounts Payable</b>	-1,867.41
<b>Other Current Liabilities</b>	
2060 · Sales Tax Payable	259.92
<b>Total Other Current Liabilities</b>	259.92
<b>Total Current Liabilities</b>	-1,607.49
<b>Long Term Liabilities</b>	
2600 · Loan to Cap Campaign from FOFF	82,000.00
<b>Total Long Term Liabilities</b>	82,000.00
<b>Total Liabilities</b>	80,392.51
<b>Equity</b>	
3900 · Net Assets UnRestricted	617,943.93
Net Income	322,740.86
<b>Total Equity</b>	940,684.79
<b>TOTAL LIABILITIES &amp; EQUITY</b>	1,021,077.30



**Note:**

The Balance Sheet shows assets of \$621,759.65 which represents monies being raised in a capital campaign effort for construction of new earth mounds and professional displays for the new visitors center. The Friends of Fort Fisher committed to raise \$3M towards the \$21.9M visitors center which is being funded by the State of North Carolina. These funds are not considered part of the Friends of Fort Fisher operating income and is restricted toward future construction.

**Donor Organizations**

Cannon Foundation (Capital Campaign)  
New Hanover County  
Town of Carolina Beach  
Town of Kure Beach  
UDC chapters

*Island of Lights*  
*P. O. Box 2334*  
*Carolina Beach, N. C. 28428*

February 19, 2021

To: LeAnn Pierce, Mayor  
Jay Healy, Mayor Pro Tem  
Lynn Barbee, Council Member  
Steve Shuttleworth, Council Member  
JoDan Garza, Council Member

From: Frances Massey,  
Island of Lights, President

Re: Funding Request

The Island of Lights is a non-profit organization. For the last 31 years we have provided numerous events to promote tourism on Carolina Beach and Kure Beach from November to January. We respectfully request a donation from the Town of Carolina Beach in the amount of \$5000 for the up-coming fiscal year (July 1, 2021 – June 30, 2022). We will be using the money to help fund our events, (Light Up Night, Christmas Parade, Flotilla, Tour of Homes, and New Year's Eve Countdown Celebration). Most of these events are free to the public, and bring tourists to our island.

These events entertain the residents of Carolina Beach and also bring people from out of town who spend money in our local businesses.

If you have any questions, please contact me at 458-5507 or [fmassey52@gmail.com](mailto:fmassey52@gmail.com).

Thank you for your support and generous donations over the past 30 years.

cc. Bruce Oakley, Town Manager  
Debbie Hall, Finance Director  
Kim Ward, Town Clerk

**Island of Lights  
2021 Budget**

	<b>Debits</b>	<b>Credits</b>
Fashion Show	2500	
Light-up Lake	300	
Misc Printing	400	
**New Displays	5000	
Parade	2000	
Christmas Cards/Ornaments	4000	
Tour of Homes	300	
Flotilla	3000	
New Years Eve	7000	
Misc	1000	
Insurance	1500	
Postage and PO Box	300	
Town of Carolina Beach		1000 (based on 2020 contribution)
Town of Kure Beach		1200 (based on 2020 contribution)

**TOTAL BUDGET                      \$ 27,300.00    \$ 2,200.00**

\*\*Savings will cover this expense if incurred

Judy MacGregor  
Treasurer  
February 2, 2021

Island of Lights Profit/Loss 2020

CARDS/ORNAMENTS

<u>date</u>	<u>exp</u>	<u>credit</u>	<u>date</u>	<u>exp</u>	<u>credit</u>
02/16	100.00		02/10	5.40	
03/03	12.79		02/10	350.00	
03/16	25.00		02/10	200.00	
03/17	50.00		02/24	44.59	
08/12	215.15		02/24	875.00	
	<b>402.94</b>	<b>0.00</b>	03/03	60.00	
	<b>Sub-Total</b>	<b>0.00</b>	03/13	764.11	
	<b>Total</b>	<b>-402.94</b>	03/30	790.17	
			05/08		80.00
			05/08	250.00	
			06/01	31.79	
			06/01		4,200.00
			06/25		15.00
			07/03		250.00
			07/17		70.00
			08/21		750.00
			08/21		750.00
			09/08		775.00
			11/17		105.00
			11/17		470.00
			11/17		15.00
			12/01		180.00
			<b>Sub-Total</b>	<b>3,371.06</b>	<b>7,660.00</b>
			<b>Total</b>		<b>4,288.94</b>

FASHION SHOW

<u>date</u>	<u>exp</u>	<u>credit</u>
02/16	100.00	
03/03	12.79	
03/16	25.00	
03/17	50.00	
08/12	215.15	
	<b>402.94</b>	<b>0.00</b>
	<b>Sub-Total</b>	<b>0.00</b>
	<b>Total</b>	<b>-402.94</b>

LIGHT UP LAKE

<u>date</u>	<u>exp</u>	<u>credit</u>
12/01	47.49	
12/01	58.85	
	<b>106.34</b>	<b>0.00</b>
	<b>Sub-Total</b>	<b>0.00</b>
	<b>TOTAL</b>	<b>-106.34</b>

PARADE

<u>date</u>	<u>exp</u>	<u>credit</u>
01/09		25.00
		<b>25.00</b>
	<b>Sub-Total</b>	<b>25.00</b>
	<b>TOTAL</b>	<b>25.00</b>

Judy MacGregor, Treasurer  
February 2, 2021



Island of Lights Profit/Loss 2020

<u>TOUR OF HOMES</u>		<u>FLOTILLA</u>	
<u>date</u>	<u>exp</u>	<u>date</u>	<u>exp</u>
	0.00		0.00
<b><u>Sub-Total</u></b>	<b>0.00</b>	<b><u>Sub-Total</u></b>	<b>0.00</b>
<b><u>TOTAL</u></b>	<b>0.00</b>	<b><u>TOTAL</u></b>	<b>0.00</b>

<u>NEW YEARS EVE</u>		<u>MISC</u>	
<u>date</u>	<u>exp</u>	<u>date</u>	<u>exp</u>
	0.00	02/04 990N Form	39.95
		03/03 Printer ink	36.37
<b><u>Sub-Total</u></b>	<b>0.00</b>	06/13 PO Box renewal	118.00
<b><u>TOTAL</u></b>	<b>0.00</b>	06/19 Mtn. Valley Hospice	50.00
		06/29 Donation Autumn Corp	25.00
		07/20 Town of CB	1,000.00
		07/30 Town of KB	1,200.00
		11/17 Website Renewal fee	600.00
		12/01 Storage boxes	51.36
		12/01 PI Chamber of Comm	250.00
<b><u>Sub Total</u></b>		<b><u>Sub Total</u></b>	<b>1,145.68</b>
<b><u>TOTAL</u></b>		<b><u>Total</u></b>	<b>1,079.32</b>

The Pleasure Island Sea Turtle Project  
c/o Nancy Busovne  
507 Jarrett Bay Drive  
Carolina Beach, NC 28428  
910-538-2918

February 11, 2021

Item 12.

Ms. LeAnn Pierce  
Mayor, Carolina Beach and  
Carolina Beach Town Council  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428

Dear Ms. Pierce:

We are submitting a quote for the monitoring and relocation of the sea turtle nests for the 2021 sea turtle nesting season for Carolina Beach and Freeman Park. We are a 501C non-profit corporation comprised of volunteers. Many volunteers like myself have been involved in nesting activities at Carolina Beach since the volunteer program formed 20 years ago. This is my seventeenth year serving as volunteer coordinator for Carolina Beach, and my sixteenth year as the holder of the NC Wildlife Resources Commission endangered species permit for Carolina Beach (copy attached). We will be operating as a group under my permit. This permit will enable us to conduct activities involving nesting, hatching, and stranded sea turtles anywhere in North Carolina.

Surveying of the beachfront and/or monitoring of nests would begin May 1, 2021 and continue until the end of the hatching season on or before November 30, 2021.

**Please note that our fee has changed:** Our fee will be \$6000, a reduction of \$1100 from the 7700 charged in prior years. This is due to switching over to a walking Patrol with our leased 4x4 vehicle being used for ferrying volunteers to Freeman Park, and moving supplies as opposed to daily Patrol. Our fee would still include all aspects in the Scope of Work (attached). We are happy to pass along savings to the Town as a result of this Patrol Change.

Any and all nests laid in Freeman Park will be relocated to Carolina Beach for monitoring at the discretion of the North Carolina Wildlife Resources Commission.

We look forward to working with you, the town officials, and the citizens of Carolina Beach in the protection of this unique marine animal.

If you have any questions, please give us a call. Thank you for your consideration.

Nancy Busovne  
Volunteer Coordinator/Permit #14ST22, Carolina Beach  
Pleasure Island Sea Turtle Project  
910-538-2918  
Cc: Bruce Oakley, Town Manager; Kim Ward, Town Clerk

**Budget**

January through December 2021

	Jan - Dec 21
<b>Income</b>	
<b>Direct Public Support</b>	
<b>Contributions</b>	
Aetna	250.00
AmazonSmile	250.00
Coastal Beverage	350.00
Corporate Contributions	100.00
Individuals	4,000.00
State Farm	500.00
Verizon	500.00
<b>Total Contributions</b>	5,950.00
<b>Total Direct Public Support</b>	5,950.00
<b>Government Contracts</b>	
Carolina Beach Contract	6,000.00
Kure Beach Contract	4,800.00
<b>Total Government Contracts</b>	10,800.00
<b>Sales Income</b>	
<b>Adopt a Nest</b>	
Adopt a Nest Additional Shirt	500.00
Adopt a Nest Income	3,500.00
<b>Total Adopt a Nest</b>	4,000.00
<b>Beach Store</b>	
Beach Store Postage	600.00
Beach Store Sales	17,000.00
<b>Total Beach Store</b>	17,600.00
<b>Total Sales Income</b>	21,600.00
<b>Special Events Income</b>	
Special Events 1	750.00
Special Events 2	700.00
<b>Total Special Events Income</b>	1,450.00
<b>Total Income</b>	39,800.00
<b>Cost of Goods Sold</b>	
<b>Cost of Goods Sold</b>	
Adopt a Nest	300.00
Beach Store	9,500.00
<b>Total Cost of Goods Sold</b>	9,800.00
<b>Total COGS</b>	9,800.00
<b>Gross Profit</b>	30,000.00
<b>Expense</b>	
<b>Operating Expenses</b>	
<b>Administrative Expenses</b>	
Administration	300.00
Credit Card/ PayPal/Sq Fees	700.00
CSL Fees	50.00
Dues and Registrations	100.00
Insurance - Liability, D and O	1,250.00
Office Supplies	200.00
PO Box Rental	100.00
Postage, Mailing Service	50.00

**Budget**

January through December 2021

	Jan - Dec 21
Telephone, Telecommunications	400.00
Website/web hosting	100.00
<b>Total Administrative Expenses</b>	<b>3,250.00</b>
<b>Adopt a Nest</b>	
Adopt a Nest Shirts	650.00
Adopt a Nest Supplies/Postage	550.00
<b>Total Adopt a Nest</b>	<b>1,200.00</b>
<b>Advertising Expenses</b>	
Business Cards	50.00
Chamber of Commerce	300.00
Flyers	100.00
Signs	200.00
<b>Total Advertising Expenses</b>	<b>650.00</b>
<b>Beach Store</b>	
Beach Store Postage	600.00
Beach Store Supplies	100.00
<b>Total Beach Store</b>	<b>700.00</b>
<b>Fundraising Expenses</b>	
Promotional Expenses	250.00
Special Events 1	350.00
<b>Total Fundraising Expenses</b>	<b>600.00</b>
<b>Volunteer Expenses</b>	
Volunteer Appreciation Party	1,200.00
Volunteer Gifts/Awards	1,200.00
Volunteer shirts-earned	1,000.00
<b>Total Volunteer Expenses</b>	<b>3,400.00</b>
<b>Total Operating Expenses</b>	<b>9,800.00</b>
<b>Program Expenses</b>	
<b>Education Expenses</b>	
Printing and Copying	250.00
Special Events	600.00
Supplies - Education	1,500.00
Turtle Talks	100.00
<b>Total Education Expenses</b>	<b>2,450.00</b>
<b>Equip Rental and Maintenance</b>	
Beach Vehicle Gas	150.00
Beach Vehicle Rental	4,000.00
Beach Vehicle Supplies	300.00
<b>Total Equip Rental and Maintenance</b>	<b>4,450.00</b>
<b>Grants to Other Org.</b>	
Karen Beasley Turtle Hospital	5,500.00
<b>Total Grants to Other Org.</b>	<b>5,500.00</b>
Storage	1,700.00
Stranding	200.00
Supplies - Nest	2,300.00
<b>Total Program Expenses</b>	<b>16,600.00</b>
<b>Total Expense</b>	<b>26,400.00</b>
<b>Net Income</b>	<b>3,600.00</b>

## Profit &amp; Loss

January through December 2020

	Jan - Dec 20
<b>Income</b>	
<b>Direct Public Support</b>	
<b>Contributions</b>	
Aetna	249.00
AmazonSmile	253.26
Carolina Beach Bar Club	1,642.00
Coastal Beverage	348.00
Corporate Contributions	70.00
Happy Hippies Java Hut	51.00
Individuals	3,396.00
State Farm	485.15
<b>Total Contributions</b>	6,494.41
<b>Total Direct Public Support</b>	6,494.41
<b>Government Contracts</b>	
Carolina Beach Contract	7,700.00
Kure Beach Contract	4,500.00
<b>Total Government Contracts</b>	12,200.00
<b>Interest Income</b>	2.78
<b>Sales Income</b>	
<b>Adopt a Nest</b>	
Adopt a Nest Additional Shirt	565.00
Adopt a Nest Income	3,750.00
<b>Total Adopt a Nest</b>	4,315.00
<b>Beach Store</b>	
Beach Store Postage	643.37
Beach Store Sales	18,946.62
<b>Total Beach Store</b>	19,589.99
<b>Total Sales Income</b>	23,904.99
<b>Special Events Income</b>	
Special Events 1	175.00
Special Events 2	1,884.00
<b>Total Special Events Income</b>	2,059.00
<b>Total Income</b>	44,661.18
<b>Cost of Goods Sold</b>	
<b>Cost of Goods Sold</b>	
Adopt a Nest	326.90
Beach Store	10,753.61
<b>Total Cost of Goods Sold</b>	11,080.51
<b>Total COGS</b>	11,080.51
<b>Gross Profit</b>	33,580.67
<b>Expense</b>	
<b>Operating Expenses</b>	
<b>Administrative Expenses</b>	
Administration	47.00
Credit Card/ PayPal/Sq Fees	679.41
Dues and Registrations	100.00
Insurance - Liability, D and O	1,226.00
Office Supplies	174.92
PO Box Rental	118.00
Postage, Mailing Service	0.00
Sales and Use Tax Refundable	311.99
Telephone, Telecommunications	379.54

## Profit &amp; Loss

January through December 2020

	<u>Jan - Dec 20</u>
Website/web hosting	75.93
<b>Total Administrative Expenses</b>	<b>3,112.79</b>
<b>Adopt a Nest</b>	
Adopt a Nest Shirts	685.30
Adopt a Nest Supplies/Postage	545.09
<b>Total Adopt a Nest</b>	<b>1,230.39</b>
<b>Beach Store</b>	
Beach Store Postage	683.60
Beach Store Supplies	67.90
<b>Total Beach Store</b>	<b>751.50</b>
<b>Fundraising Expenses</b>	
Special Events 1	25.00
Special Events 2	594.00
<b>Total Fundraising Expenses</b>	<b>619.00</b>
<b>Volunteer Expenses</b>	
Volunteer shirts-earned	350.00
<b>Total Volunteer Expenses</b>	<b>350.00</b>
<b>Total Operating Expenses</b>	<b>6,063.68</b>
<b>Program Expenses</b>	
<b>Education Expenses</b>	
Supplies - Education	18.15
<b>Total Education Expenses</b>	<b>18.15</b>
<b>Equip Rental and Maintenance</b>	
Beach Vehicle Gas	129.37
Beach Vehicle Rental	6,682.64
Beach Vehicle Supplies	621.54
<b>Total Equip Rental and Maintenance</b>	<b>7,433.55</b>
<b>Grants to Other Org.</b>	
Karen Beasley Turtle Hospital	5,000.00
<b>Total Grants to Other Org.</b>	<b>5,000.00</b>
<b>Storage</b>	1,680.00
<b>Supplies - Nest</b>	2,314.76
<b>Total Program Expenses</b>	<b>16,446.46</b>
<b>Total Expense</b>	<b>22,510.14</b>
<b>Net Income</b>	<b>11,070.53</b>



Tel: (919) 707-0050  
www.ncwildlife.org

# ENDANGERED SPECIES PERMIT

North Carolina Wildlife Resources Commission  
NC Sea Turtle Project  
1707 Mail Service Center  
Raleigh, NC 27699-1700

**AUTHORITY**  
STATUTES  
GS 113-129, GS 113-331 & GS 113-333  
  
RULES  
15A NCAC 101.0102

**PERMITTEE/LICENSEE**

**Nancy Busovne**  
**Carolina Beach Sea Turtle Project**  
**507 Jarrett Bay Drive**  
**Carolina Beach, NC 28428**

**PERMIT NUMBER**

**21ST22**

**EFFECTIVE**  
**01/01/2021**

**EXPIRES**  
**12/31/2021**

**COUNTY**  
New Hanover

**DISTRICT**  
2

**CONDITIONS AND AUTHORIZATIONS:**

The above-named person and those under his(her) authority is(are) hereby authorized to conduct the following activities with the specified Federally listed endangered or threatened species as a designated agent of the North Carolina Wildlife Resources Commission:

Protection and Relocation of Sea Turtle Nests - This permit authorizes the protection and relocation of nests, which are in danger of loss due to erosion or overwash, to a suitable location as close to the original nest site as feasible. The permittee is also allowed to collect one fresh egg from each nest for research. All activities related to nest protection and relocation must adhere to the following:

- a. The Handbook for Sea Turtle Volunteers in North Carolina must be followed in evaluating nests and determining appropriate translocation methods.
- b. Accurate and complete records of nest protection activities must be maintained. All data/information must be uploaded online daily during the nesting season and regularly during the hatching season. All data must be corrected and finalized by 31 December.

Possession and Disposition of Stranded Sea Turtles - This permit authorizes the possession and transportation of injured or sick sea turtles for the purpose of rehabilitation and/or release and the possession and transportation of dead stranded sea turtles for the purposes of disposition.

**Other requirements:**

- a. The North Carolina Wildlife Resources Commission's State Sea Turtle Program Biologist, Matthew Godfrey (252-728-1528 or matt.godfrey@ncwildlife.org) must be notified within 24 hours of each stranding event.
- b. A Sea Turtle Stranding Report form must be completed and submitted to the North Carolina Wildlife Resources Commission within 48 hours of each stranding event.

This license covers the following sea turtle species:

Loggerhead (*Caretta caretta*), Green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempii*), Leatherback (*Dermochelys coriacea*), Hawksbill (*Eretmochelys imbricata*)

**PAGE 1 of 1**

**This permit/license is nontransferable and expires at midnight on the above specified expiration date.**

ISSUED BY:

*Matthew H Godfrey*  
Matthew H Godfrey, PhD

TITLE:

**Sea Turtle Biologist**

DATE:

**01/11/2021**



## AGENDA ITEM COVERSHEET

---

**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council – 03/09/2021

**SUBJECT:** Discussion on Town Committees

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**BACKGROUND:**

Council Member Barbee would like for Council to have a discussion on Town committee structure.

**ACTION REQUESTED:**

Discussion





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Council 3/9/2021

**SUBJECT:** Closed Session to Discuss an Attorney/Client and Personnel Matter

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**RECOMMENDED MOTION:**

Motion to go into closed session to discuss an attorney client and personnel matter in accordance to NCGS 143-318.11(a)(3) and (6).

Matters being discussed are:

- 18 CVS 3151 Town of Carolina Beach vs. Carolina Freeman LLC
- 18 CVS 3152 Town of Carolina Beach vs. B&F Enterprises LLC
- 18 CVS 3153 Town of Carolina Beach vs. DRDK LLC
- 18 CVS 3154 Town of Carolina Beach vs. Freeman Beach LLC
- 18 CVS 3155 Town of Carolina Beach vs. Winnie Futch Heirs