

CAROLINA BEACH

Town Council Workshop

Tuesday, June 22, 2021 – 9:00 AM

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



AGENDA

CALL TO ORDER

DISCUSSION ITEMS

- [1.](#) Employee Recognition
- [2.](#) Presentation by the Canal Drive Committee
- [3.](#) Parking Presentation
- [4.](#) Committee Ordinance and Policy Review

NON-AGENDA ITEMS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Workshop – 6/22/2021

SUBJECT: Employee Recognition

BACKGROUND:

Ed Parvin will introduce the new project manager and Brian Stanberry will introduce the new stormwater manager.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward

DEPARTMENT: Clerk

MEETING: Town Council Workshop 6/22/2021

SUBJECT: Presentation by the Canal Drive Committee

BACKGROUND:

The Canal Drive Committee will make a presentation to Council.

Canal Drive Flooding Advisory Committee
Town Council Workshop Brief

June 22, 2021

The Canal Drive Flooding Advisory Committee was established by Town Council on February 13, 2018. Since establishment, a traffic control ordinance and flood routing plan has been adopted by Town Council, a three point survey and qualitative assessment of private and public bulkheads between the Town Marina and the marina at the North End has been completed, a State of North Carolina monitored tidal and sea level gauging station has been installed on Myrtle Grove Sound (Sandpiper Lane), and initiating legislative proposals for management of long term solutions for tidal flooding have been forwarded to State Legislative Staff, yet the basic health, welfare, and flood damage to private and public properties at the North End continues unabated.

The *Town of Carolina Beach Canal Drive Flooding and Vulnerability Assessment Study*, (Aptim, 2/2019), identifies nine locations along Canal and Florida that are at the root cause for the majority of tidal flooding at the North End. Tidal flow through these locations is the principal factor behind the continued deterioration of pavement on Canal, Florida, and the connector segments between Canal and CBAN, and those that run between Florida and Virginia. Dewatering constraints that are necessary to physically reconstruct water and sewer systems at the North End are the principal reason the Town has had to abandon its planned renovation of underground services and storm water pumps at the North End. Monthly flooding of the existing gravity sewer at the North End continues to compromise the health and welfare of residents and visitors, as well as impede public access to beach parking, restrooms, North End commercial establishments, and Freeman Park. It is the Committee's opinion that immediate action is required to address these nine identified flooding locations.

The Committee is making two recommendations to Town Council:

1. The initial "*Vulnerability Assessment Study*" clearly identifies the weak points of the existing infrastructure for both private and public tidal flood control facilities along Canal and Florida. In order to proceed further, hard cost factors must be generated. This is a fundamental requirement for developing financing options as well as forwarding both short and long range management plans. The Committee is recommending that Town Council authorize Staff to develop an engineering RFP to solicit a cost estimate and hard design recommendations for the nine locations identified in the "*Vulnerability Assessment Study*". (Estimated Cost < \$100,000).
2. Interagency coordination for tidal flood mitigation has proven to be a major obstacle in resolution of our Town's "sunny day" flooding. That is the principal reason the Committee was required to spend an inordinate amount of effort generating a Legislative Initiative for long term solution of the Town's tidal flooding issues. There are two major unresolved elements associated with establishing a legal platform with which to proceed:
 - a. The issues associated with the nine identified locations are nuisance control issues that the Town is likely obligated to correct, i.e., to facilitate reconstruction of sanitary sewers, water supply, storm drains, roadways, and safe accessibility at the North End for emergency services and the general public. The legal elements associated with initiating Town action on this type of nuisance issue are not fully defined, and;

b. The Legislative Initiative that has been developed by the Committee for long term financing and management, cannot, in the Committee's opinion, be effectively forwarded without professional assistance.

The Committee is recommending that Staff be authorized to develop an RFP for solicitation of legal services to thoroughly examine the Town's nuisance abatement options and responsibilities, and to identify the legal and legislative hurdles necessary to implement a long term solution to tidal flooding. (Estimated Cost < \$30,000).

Respectfully submitted,
Canal Drive Flooding Advisory Committee
Dale Walters, Chair



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council – 06/22/2021

SUBJECT: Parking Presentation

BACKGROUND:

Presentation by Reef Parking



AGENDA ITEM COVERSHEET

PREPARED BY: Ed Parvin, Assistant Town Manager

DEPARTMENT: Executive

MEETING: Town Council – 06/22/2021

SUBJECT: Committee Ordinance and Policy Review

BACKGROUND:

Staff will present the proposed committee ordinance and policy.

LeAnn Pierce
Mayor

Steve Shuttleworth
Council Member

Lynn Barbee
Council Member



Jay Henry
Mayor Pro Tem

JoDan Garza
Council Member

Bruce Oakley
Town Manager

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POLICY AND PROCEDURES FOR APPOINTMENTS AND THE ADMINISTRATION OF THE TOWN’S VOLUNTEER CITIZEN ADVISORY COMMITTEES

SECTION 1. PURPOSE

- A. To establish policy and procedure whereby the Town of Carolina Beach Town Council will make appointments to volunteer boards, commissions, committees or authorities (hereinafter referred to as “citizen advisory committees” or CAC).
- B. To establish administrative procedures whereby all CAC’s shall operate that correspond and further illustrate Town Code.
- C. For statutory mandated CAC’s authority and purpose may include reference to applicable General Statutes.
- D. All CAC’s shall develop a mission and vision statement consistent with direction given from Town Council. The CAC is expected to update their mission/vision and corresponding goals annually and provide them to Town Council.
- E. Nothing contained in this policy shall be construed to be in conflict with any state or local law. Should there be an appearance of conflict, the appropriate state or local law shall prevail.
- F. The CAC through its membership and subcommittees, maintains continual contact with representative professional groups, stakeholders groups, and industry organizations. In this manner, the CAC is kept apprised of current information related to all matters under the jurisdiction of Carolina Beach.

SECTION 2. APPOINTMENTS

- A. All members of CAC serve at the pleasure of Town Council and may be removed at any time by a majority vote of Town Council.
- B. Appointments to CACs will be initiated with a public application process, and recommendations from staff, and/or nominations by the community or professional organizations.
- C. All appointments will be made according to the appointment statute, ordinance, or Town Council vote that created that CAC.
- D. No person may serve in more than two appointed positions of Carolina Beach government, unless exempted by nature of the position he or she may hold in governmental service.
- E. Unless otherwise stated by statute or charter, all terms of office shall be three years. No appointees may serve more than three consecutive terms which shall expire on June 30. However, members of boards and committees may serve until their successors have been appointed. This policy may be waived by the Town Council.

SECTION 4. MEETING ATTENDANCE:

- A. The Town Council has an expectation that appointees will be conscious of their attendance of scheduled meetings. Appointees shall attend at least 75% of scheduled meetings on an annual basis from the date of their appointment.
- ~~B.~~ If the appointee does not comply with such attendance or ~~fails to attend~~ has three consecutive unexcused absences, said appointee's failure to attend shall be reported by the presiding officer of the respective ~~board, committee, commission or authority~~ CAC to the Town Council. Such unexcused absences on the part of any appointee may, at the election of the Town Council, be deemed to constitute resignation on the part of the appointee, from such CAC ~~board, committee, commission, or authority.~~
- C. Excused absences are defined as absences caused by events beyond one's control and are subject to approval by the board on which the appointee is serving. Minutes containing meeting attendance ~~Meeting attendance rosters~~ will be submitted to the Town Clerk after each-meeting of said committee.

SECTION 5. RESIGNATION

- A. Resignation occurs when a member fails to meet the attendance policy or when a member submits their resignation to the Town Clerk and carbon copy the Chairman and/or vice chairman.
- B. Upon such resignation and acceptance, the Town Council shall select a replacement from the applications of persons who applied for the last vacancy on such CAC ~~board, committee, commission or authority~~, without further notice, advertisement or action by the Town Council. The appointee will fill the vacancy for the period of the unexpired term. This is considered a partial term and the individual will be eligible for three additional full-terms on the committee.

SECTION 6. PROCEDURES FOR FILLING VACANCIES FOR APPOINTED POSITIONS:

- A. Notification of Available Appointments
 1. The ~~secretary of the affected board, commission, committee or authority~~ Town Clerk shall prepare an advertisement to be published on the website, on social media, and/or in the local newspaper. All advertisements must be submitted to the Town Clerk prior to publication.
 2. Sixty (60) days prior to the terms expiring, the secretary of the ~~board, commission, committee or authority~~ CAC CAC will email a notice to each person who is eligible for reappointment, requesting information on his or her interest in continuing to serve. If an individual is not eligible for reappointment, he or she will be notified and given reason for being ineligible.

3. If, because of policy or otherwise, an individual is not reappointed, he or she will receive a letter from the Mayor thanking them for their service.
- B. Selection Process
1. All applications for a particular position will be returned to the Clerk of the Town Council.
 2. All applications will be forwarded to the Town Council with those who are ineligible noted and the reasons for ineligibility given.
 3. The Town Clerk shall place on the agenda the "Appointments" for action at the next meeting of the Town Council.
 4. CAC members may review applications for their respective Committees and render a recommendation to Town Council for consideration. Town Council will consider such recommendation along with other considerations, but no assurances should be offered that Town Council will follow the Committee recommendation. Under no circumstances should any CAC or CAC Member offer an applicant any assurances of appointment.
- C. Notification of Appointment: The Town Clerk shall notify the appointee and copy the affected CAC notifying each of the appointment.
- D. Applications
1. All applications received shall be retained for 12 months. Applications shall be kept on file for all active appointees. All of the above data shall be maintained by the Town Clerk.
 2. Applications for committees are considered public record and are available for public inspection.

SECTION 7 ADMINISTRATION

- A. The Town Clerk shall have a binder containing a list of all town appointments with the following data provided:
1. Name of the CAC.
 2. Brief on the functions of each CAC.
 3. Ordinance of cause creating CAC.
 4. Number of members and terms of office.
 5. Current members, addresses, telephone numbers, terms of office, numbers of terms served, and expiration dates.
 6. Regular meeting day, time, and location.

SECTION 8 MEMBERSHIP

In order to qualify for an appointment to the CAC a person shall:

- A. Meet the qualifications for the specific CAC or the statutory requirements for an appointed position.
- B. Uphold Town policies pertaining to the CAC he/she serves.
- C. Be a minimum of 18 years old unless applying under a youth designated position.
- D. Be a permanent resident unless Town Council determines the membership would benefit from outside expertise. Applicants shall have a good reputation for integrity and community service. Ex-officio members may be appointed by the Town Council for the purpose of meeting subject matter expert needs. Ex-officio members are nonvoting members of the CAC.
- E. Not be employed or have immediate family employed by the Town. An appointee will not be considered for any employment vacancy in for the Town, until said appointee resigns his/her seat on the CAC.
- F. Be prepared and committed to participating in CAC work in a manner that enhances relationships between the Town and the community.

- G. Serve the Town Council. As such their role includes their commitment to implementation of Town Council's vision through full participation in committee meetings and activities.

SECTION 9 CHAIR, VICE CHAIR, AND SECRETARY (OFFICER) SELECTION AND RESPONSIBILITIES

- A. The Chair of the CAC is nominated by the CAC.
- B. The Chair and Vice Chair shall serve no more than 3 consecutive one year terms.
- C. The officers shall assume their role on July 1 of each year. At the first meeting with new officers the CAC Chair shall present members with a copy of the CAC charge, scope, and membership.
- D. The CAC Chair shall serve by meeting the following
- a. Presiding Officer
 - i. To plan and run meetings in accordance to the Town's mission.
 - ii. To ensure matters are dealt with in an orderly, efficient manner.
 - iii. To bring impartiality and objectivity to meetings and decision-making.
 - b. Managing member
 - i. To be a liaison to the staff and Council representative.
 - ii. To co-ordinate the committee and ensure the purpose of the committee is met.
 - iii. Dissolves or appoints subcommittees subject to CAC approval
 - iv. Assists in development of meeting agendas
 - c. Representative
 - i. To serve as the primary spokesperson for the CAC.
 - ii. To effectively communicate the vision and purpose of the committee.
 - iii. To advocate for and represent the committee at Town meetings and events as requested.
 - iv. To be aware of current issues that might affect the Town.
 - d. Leader
 - i. Helps members with their success
 - ii. Good communication and interpersonal skills.
 - iii. Impartiality, fairness and the ability to respect others.
 - iv. Ability to ensure decisions are made and reported to the Town Council.
 - v. Good time-keeping.
 - vi. Tact and diplomacy.
 - vii. Understanding of the roles/responsibilities of a Town committee member.
- E. The CAC Vice Chair shall meet the same standards as the Chairman
- F. The CAC Secretary shall serve by meeting the following:
- a. Administration
 - i. To prepare agendas in consultation with the Chair.
 - ii. To circulate agendas and any supporting documents in a timely manner.
 - iii. To receive agenda items from other committee members.
 - iv. To check that a quorum is present.
 - v. To take meeting minutes and circulate the draft minutes to all committee members.
 - vi. To send approved minutes and agendas to the Town Clerk.
 - vii. To report any membership changes and excessive absences to the Town Clerk.
 - b. Professional Skills
 - i. Good communication and interpersonal skills.
 - ii. Impartiality, fairness and the ability to respect others.
 - iii. Well organized and an eye for detail.
 - iv. Strong conflict resolution skills / Ability to work well with others

SECTION 10 CONFLICT OF INTEREST

- A. In the event an issue comes before a CAC and a member of that CAC has a financial, personal or employment related interest in the outcome of the issue, that member should notify his fellow members that he/she has a potential conflict of interest and request that he/she be excused from voting.
- B. A CAC member that has been recused due to a conflict of interest shall not participate in the discussion or vote on the matter.

SECTION 11 MEETINGS

- A. All meetings shall be open to the public as required by North Carolina General Statutes § 143-318.10
- B. Unless otherwise specified, public meetings will follow the standard rules of procedure defined by the Town Council. The CAC may adopt other operating procedures as needed. In coordination with the staff and Town Council the CAC shall determine the date, time, and place for each meeting.
- C. Special Meetings: A majority of the CAC may call special meetings at any time in accordance with NCGS § 143-318.12 for specific business.
- D. Virtual Meetings or Teleconferences are allowed as long as the CAC can provide access to the live meeting audio.
- E. Cancellation of Meetings: Whenever there is no business for the CAC, the Chair may dispense with a regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.
- F. Agenda: The agenda shall provide a description of each item of business so that interested members of the public will be capable of understanding the nature of each agenda item.
- G. As a general rule, only those items appearing on the agenda will be discussed or voted on. However, if an item is raised by a member of the public, the CAC may discuss so long as no action is taken until a subsequent meeting where the item is placed on the agenda.
- H. Agendas shall be available for members and public at least two (2) days before the meeting.
- I. Minutes: Minutes shall be kept of all CAC meetings and be submitted to the Town Clerk within 45 days of the last meeting.
- J. All recommendations, reports, and motions shall be conveyed on the minutes.

SECTION 12 VOTING AND QUORUM

- A. A quorum for a CAC meeting shall consist of a simple majority of the members unless otherwise specified by state or local laws.
- B. No business may be conducted if a simple majority is not present.
- C. Decisions are reached based on a simple majority vote of those members present unless otherwise required by NC Law.
- D. Only appointed members may vote. Appointed members shall not delegate their vote to others. Voting by proxy is not allowed.
- E. Ex officio members shall not vote.
- F. In the absence of the chairman and vice-chairman where a quorum still exists the CAC may by simple majority vote appoint a member of the CAC to serve as the presiding officer of the meeting.

SECTION 13 GROUND RULES

- A. The Chair shall take action necessary to ensure all policies and procedures are followed during meetings. In general the following ground rules shall apply:
- a. Test assumptions and inferences
 - b. Share all relevant information
 - c. Focus on interests, not positions
 - d. Be specific—use examples
 - e. Agree on what important words mean
 - f. Explain the reasons behind your statements, questions, and actions
 - g. Disagree openly with any member of the group
 - h. Make statements, then invite questions
 - i. Jointly design ways of testing disagreements and solutions
 - j. Discuss undiscussable issues
 - k. Keep the discussion focused
 - l. Don't take cheap shots or otherwise distract the group
 - m. All members are expected to participate in all phases of the process
 - n. Exchange relevant information with nongroup members
 - o. Make decisions by consensus
 - p. Do self-critiques
- B. Attendees: The CAC shall ensure attendees maintain meeting etiquette in order to maintain effectiveness.
- a. Attendees shall not display signs or any similar type of written communication or device that may obstruct the view of citizens, cause injury, or affect the overall presentation of the item at hand.
 - b. Attendees shall not talk to other members of the audience.
 - c. Attendees shall not approach the podium unless invited to do so by the presiding officer.
 - d. Attendees shall not engage in any behavior that is not in keeping with proper and courteous conduct.
 - e. Attendees shall not cheer, jeer, applaud, or express approval or disapproval of comments made by any speakers or any actions taken by the Commission.
 - f. No attendee shall make personal, impertinent, or slanderous remarks, nor otherwise disturb the order of any Commission meeting.

ARTICLE IV. - BOARDS, COMMISSIONS AND AGENCIES

DIVISION 1. - GENERALLY

Secs. 2-114—2-139. - Reserved.

DIVISION 2. CITIZEN ADVISORY COMMITTEES (CAC)

Sec. 2-140 Development of Citizen Advisory Committees. Town Council may develop a citizen advisory committee to:

1. Tap into the expertise of citizens,
2. Engaging citizens as our partners,
3. Gathering information for governing decision making,
4. Enhancing transparency,
5. Improving communication with elected officials and the public, and
6. Expanding knowledge on how local government works.

Sec. 2-141 Types of Citizen Advisory Committees

1. Ad hoc Committees. Town Council may create ad hoc committees to accomplish specific tasks, often on a short-term basis not easily provided for elsewhere in the committee system. Each ad hoc committee has a particular goal to achieve or product to provide. When its task is complete the committee is disbanded.
2. Standing Committee. Town Council may create standing committees when there is an ongoing mission/vision that needs continued oversight to ensure the continued success of the Town Council's goal.

Sec. 2-142 Forming, Modifying and Dissolving Citizen Advisory Committees:

1. All CAC's shall be formed and dissolved by majority vote of Town Council. The Town Council shall consider the following when forming, modifying, or dissolving any CAC:
 - A. Was this CAC developed solely by the Town and not required by state or federal law?
 - B. What is the mission, vision, and goals? Have or could these be resolved by staff or reallocated to another responsible party?
 - C. How many members should be on the CAC?
 - D. Will there be a staff liaison and/or Town Council liaison?
 - E. Will the CAC be ad hoc or standing?
 - F. How many members will be on the CAC?
2. TERMS:
 - A. No person may serve in more than two appointed positions of Carolina Beach government, unless exempted by Town Council due to the nature of the position he or she may hold.
 - B. Members whose terms are set to expire shall notify the Town Clerk of their interest in reappointment a minimum of sixty (60) days prior to the end of the term.
 - C. Terms shall be staggered and shall be designed around the fiscal year.
3. Filling positions on a CAC.
 - A. The Town Clerk shall advertise the position on the Town's website.
 - B. All applications shall be returned to the Clerk of the Town Council.
 - C. All received applications shall be retained for twelve (12) months.
 - D. Each CAC shall have leadership positions that are voted on by the CAC (i.e. chairman, vice chairman, secretary).

Sec. 2-143 CAC Procedures

1. The CAC shall submit all recommendations to the Town Council for their consideration prior to taking any action.
2. Should any concern remain unresolved after a response has been received from the CAC, the Town Council may request that the matter be referred to the Town Manager.
3. All CAC's shall be subject to policies as adopted by Town Council.

Sec 2-144 Limitation of Power

- A. Neither the CAC, nor members thereof, shall:
 1. Incur Town expense or obligate the Town in any manner.
 2. Release any written or oral report of any CAC activity to any individual or body other than to the Town Council or office of the Town Manager.
 3. Independently investigate citizen complaints against the Town Council or employees of the Town.
 4. Conduct any activity that might constitute or be construed as establishment of an official government review of a department or employee actions.
 5. Conduct any activity that might constitute or be construed as establishment of department policy.
 6. Violate the confidentiality of any information related to matters involving pending or forthcoming civil or criminal litigation.
- B. Matters pertaining to discipline shall not be discussed or considered by the CAC. The activities of the CAC shall be conducted in accordance with federal, state, and local laws.
- C. Approval of plans, reports, policies, and/or ordinances shall be reviewed by the following prior to presentation to Town Council:
 - a. Technical Review Committee
 - b. Any other state or local mandated process for adoption (i.e. zoning changes would be required to go through the Planning and Zoning Commission)
 - c. Town's legal counsel

~~DIVISION 2. — HARBOR COMMISSION~~~~Sec. 2-140. — Purpose.~~

~~The purpose of this commission shall be to:~~

- ~~(1) — Create regulations to manage the shoreline areas of the town by establishing laws that balance the diverse uses and minimize user conflicts;~~
- ~~(2) — Protect and improve water quality in the shoreline area;~~
- ~~(3) — Increase public access opportunities in the shoreline area; and~~
- ~~(4) — Remain consistent with the goals and regulations of the town, county, state, and federal government.~~

~~(Code 1986, § 6-2(a); Ord. No. 12-883, 2-14-2012)~~

~~Sec. 2-141.— Establishment.~~

- ~~(a) — There is hereby created and established the harbor commission of the town, comprised of seven members and the Harbor Master or representative from the town to serve at the direction of the Town Manager or his designee.~~
- ~~(b) — The commission shall be composed of seven members at large, for staggered terms for a period of three years. A vacancy is created upon the death or resignation in writing to the chairperson. Members of the commission shall serve without pay and at the discretion of the town council.~~

~~(Code 1986, § 6-2(b); Ord. No. 12-883, 2-14-2012)~~

~~Sec. 2-142.— Organization of the harbor commission.~~

- ~~(a) — The commission, within 30 days of its appointment, shall meet and elect a chairperson, vice-chairperson and secretary.~~
- ~~(b) — The chairperson and vice chairperson shall serve a one year term. The vice chairperson shall become chairperson upon the death or resignation of the chairperson or upon the office of the chairperson otherwise becoming vacant. The vice chairperson shall discharge the powers of the office of chairperson at any meeting at which the chairperson is absent.~~
- ~~(c) — The Harbor Master is not a voting member and shall serve in an advisory capacity to the commission.~~
- ~~(d) — The secretary of the commission is that person elected by a majority of active members to serve a one year term. In the absence of the secretary at any meeting, the chairperson shall appoint an interim secretary from the active membership present. The secretary shall maintain a record of its members' attendance, its actions, findings and recommendations, which shall be open to the public. The secretary must provide the minutes of the meeting to be distributed to the commission and Town Clerk. Minutes must be filed immediately following any regular or special meeting in the office of the Town Clerk.~~
- ~~(e) — A quorum of four members shall be necessary to take any official action authorized or required by this division. An issue shall carry a majority of those voting.~~
- ~~(f) — Any expired terms and/or vacancies shall be properly advertised. The commission may review all applications and make a recommendation to the town council in order to fill its membership. The town council shall make all appointments to fill expired terms and/or vacancies. The town council may revoke any member for misconduct or nonperformance of duty.~~
- ~~(g) — The commission may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provision of this division.~~

~~(Code 1986, § 6-2(c); Ord. No. 12-883, 2-14-2012)~~

~~Sec. 2-143.— Meetings.~~

- ~~(a) Regular meetings of the commission shall be held quarterly at the Carolina Beach Municipal Administration Building.~~
- ~~(b) Special meetings of the commission may be called at any time by the chairperson. At least 24 hours notice of the time and place of special meetings shall be given, by the secretary or chairperson, to each member of the commission.~~

~~(Code 1986, § 6-2(d); Ord. No. 12-883, 2-14-2012)~~

~~Secs. 2-144—2-169.— Reserved.~~~~DIVISION 3.— FREEMAN PARK COMMITTEE~~~~Sec. 2-170.— Establishment.~~

~~There is hereby created and established the Freeman Park committee of the town, comprised of seven members and one official or representative from the town to serve, which will be the Police Chief or his designee, who shall serve in accordance with the directive of the town council. The Freeman Park committee is established under the authority of the town council, adopted August 12, 2008.~~

~~(Code 1986, § 11-83; Ord. No. 08-752, 8-12-2008)~~

~~Sec. 2-171.— Purpose.~~

- ~~(a) The purpose of the committee is to provide an organized forum for two way communication between the town. Where appropriate, the committee may recommend to the town council and police department on substantive issues, with the goal of improved services. The committee shall make full and complete reports annually to the town council at such times as may be requested and at such other times as the council may deem appropriate.~~
- ~~(b) For the purpose of this division, the term "substantive issues" will be defined as a matter of major practical importance to all concerned. It shall not include personnel issues involving individual employees or daily operation procedure.~~

~~(Code 1986, § 11-84; Ord. No. 08-752, 8-12-2008)~~

~~Sec. 2-172.— Membership; composition; term.~~

- ~~(a) The committee shall be composed of seven members at large, and one official or representative from the town to serve at the direction of the Town Manager or his designee. Initially appointments shall be two members for one year term, two members for two year~~

~~terms, and three members for three-year terms. A vacancy is created upon the death or resignation in writing to the chairperson.~~

- ~~(b) Members of the committee shall serve without pay and at the discretion of the town council.~~

~~(Code 1986, § 11-85; Ord. No. 08-752, 8-12-2008; Amend. of 3-13-2018)~~

~~Sec. 2-173. Organization of the Freeman Park advisory committee.~~

- ~~(a) The committee, within 30 days of its appointment, shall meet and elect a chairperson, vice-chairperson and secretary.~~

- ~~(b) The chairperson shall serve a one-year term but cannot serve more than two consecutive terms as chairperson and/or two years. The chairperson shall be counted to determine a quorum and shall have one vote as other members.~~

- ~~(c) The vice-chairperson shall serve a one-year term but cannot serve more than two consecutive terms as vice-chairperson and/or two years. The vice-chairperson shall become chairperson upon the death or resignation of the chairperson or upon the office of the chairperson otherwise becoming vacant. The vice-chairperson shall discharge the powers of the office of chairperson at any meeting at which the chairperson is absent. The interim vacancy in the office of vice-chairperson may be filled at any regular meeting at which such election has been placed on the notice of the agenda to active members. The vice-chairperson shall be counted to determine a quorum, and shall have one vote as other members.~~

- ~~(d) The Police Chief or his designee is not a voting member and shall serve in an advisory capacity to the committee.~~

- ~~(e) The secretary of the committee is that person elected by a majority of active members to serve a one-year term but cannot serve more than two consecutive terms as secretary. Upon the death or resignation of the secretary or upon the office of the secretary otherwise becoming vacant, the office of the secretary may be filled at any regular meeting at which such election has been placed on the notice of agenda to send to all active members. In the absence of the secretary at any meeting, the chairperson shall appoint an interim secretary from the active membership present. The secretary shall maintain a record of its members' attendance, its actions, findings and recommendations, which shall be open to the public. The secretary must provide the minutes of the meeting to be distributed to the committee and Town Clerk. Minutes must be filed immediately following any regular or special meeting in the office of the Town Clerk.~~

- ~~(f) A quorum of four members shall be necessary to take any official action authorized or required by this division. An issue shall carry a majority of those voting.~~

- ~~(g) Any expired terms and/or vacancies shall be properly advertised. The committee may review all applications and make a recommendation to the town council in order to fill its membership. The town council shall make all appointments to fill expired terms and/or~~

~~vacancies. The town council may revoke any member for misconduct or nonperformances of duty.~~

~~(h) The committee may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provision of this division.~~

~~(Code 1986, § 11-86; Ord. No. 08-752, 8-12-2008)~~

~~Sec. 2-174. Meetings.~~

~~(a) Meetings of the committee shall be held on dates and at times established pursuant to state law requirements, at the Carolina Beach Municipal Administration Building. Prior notice of any change in meeting date (including special meetings of the committee), time and place shall be provided to all members, the Town Clerk and administrative staff one week in advance of said meeting.~~

~~(b) All regular scheduled meetings will have an agenda prepared by the Town Manager or his designee. The agenda will be distributed to all active members and to the Town Clerk five days in advance, prior to scheduled meeting.~~

~~(Code 1986, § 11-87; Ord. No. 08-752, 8-12-2008)~~

~~Secs. 2-175—2-201. Reserved.~~

~~DIVISION 4. CAROLINA BEACH MARKETING ADVISORY COMMITTEE~~

~~Sec. 2-202. Creation and purpose.~~

~~Pursuant to state law, G.S. 160A-146, the marketing advisory committee of the town is hereby created as a standing committee. The purpose of the marketing advisory committee shall be to consult with and provide input to the town council and the New Hanover County Tourism Development Authority related to the tourism industry in the town.~~

~~(Code 1986, § 11-88; Ord. No. 08-752, 8-12-2008; Ord. No. 10-845, 8-24-2010; Ord. No. 14-954, 9-9-2014)~~

~~Sec. 2-203. Composition and appointment of members.~~

~~The marketing advisory committee shall consist of seven voting members and one alternative that only votes in place of an absent member. The Town Manager or his designee shall serve as staff liaison to the committee. All voting members shall be appointed by the town council and shall be citizens of the town or representatives from the town's business community, including, but not limited to, small business, real estate, and the resort/lodging industry within the town. All members shall be appointed for two-year terms or until a successor is appointed. Terms shall run from July 1 to June 30. Appointments shall be on staggered terms. No member of the marketing committee shall serve more than three~~

~~consecutive terms. Vacancies occurring for reasons other than expiration of term shall be filled as they occur by the town council for the period of the unexpired term.~~

~~(Code 1986, § 11-89; Ord. No. 10-845, 8-24-2010; Ord. No. 11-872, 6-14-2011; Ord. No. 12-892, 5-8-2012; Ord. No. 14-954, 9-9-2014)~~

~~Sec. 2-204. Organization; meetings; records.~~

- ~~(a) There shall be a chairperson, vice chairperson, and secretary elected annually by the marketing advisory committee members at a regular meeting in July. The committee shall adopt rules of procedure for the conduct of its business that shall be effective following approval by the town council. Subsequent changes to the rules of procedure shall also be subject to approval by the town council. The committee shall keep minutes of the meetings and records of the members' attendance, discussions, and recommendations. All minutes and records shall be furnished to the town council. The records shall be considered a public record.~~
- ~~(b) The marketing advisory committee chairperson shall preside at all meetings and sign all documents relative to action taken by the committee. When the chairperson is absent, the vice chairperson shall perform the duties of the chairperson. When both the chairperson and vice chairperson are absent, a temporary chairperson shall be selected by those members who are present.~~
- ~~(c) The marketing advisory committee shall hold at least one meeting each month. The chairperson or, in his absence, the vice chairperson may call a special meeting of the marketing committee at any time. A quorum of the marketing committee shall be in attendance before action of an official nature can be taken. Notice of regular and special meetings shall be given in accordance with G.S. 143-318.9 et seq. All meetings shall be open to the public and subject to the provisions of G.S. ch. 143, art. 33C (G.S. 143-318.9 et seq.), regarding open meetings.~~
- ~~(d) Routine business shall include issues pertinent to the successful marketing of the community in relation to tourism, as well as, a review of applications being submitted from the town council for funding projects, programs, or equipment supporting the community's efforts to attract and support the tourism industry.~~
- ~~(e) The town council shall have the authority to remove any member who misses three consecutive regular meetings or more than four total meetings in a one-year period. It shall be the responsibility of the chairperson of the committee to advise the town council of any member who misses three consecutive regular meetings or more than a total of four meetings in a one-year period. Absences due to sickness, death, or other emergencies of a like nature shall be regarded as approved absences and shall not affect the member's status on the committee. However, in the event of a long illness, or other such cause for prolonged absences, the chairperson of the marketing advisory committee shall advise the town council of the situation, and the town council may remove the member. In the event the town council removes a member because of his failure to comply with the attendance~~

~~requirements set forth herein, the town council shall notify the chairperson of the committee, in writing, that the member has been removed. Each member shall notify the chairperson, vice chairperson, or secretary at least 48 hours before a regular meeting when an absence is anticipated.~~

~~(Code 1986, § 11-90; Ord. No. 10-845, 8-24-2010; Ord. No. 14-954, 9-9-2014)~~

~~Sec. 2-205. Responsibility, powers, and duties.~~

- ~~(a) The marketing advisory committee shall work with the town council, the New Hanover County Tourism Development Authority, and the Cape Fear Coast Convention and Visitors Bureau to develop programs and initiatives to promote the tourism industry in the town.~~
- ~~(b) Upon approval by the town council, the marketing advisory committee shall provide annual marketing recommendations to the Cape Fear Coast Convention and Visitors Bureau for inclusion in the annual countywide marketing plan.~~
- ~~(c) The marketing advisory committee shall function in an advisory capacity to the town council and shall meet from time to time with the town council to discuss issues relative to marketing and tourism.~~
- ~~(d) The marketing advisory committee shall coordinate on applications for TDA funding that have been prepared and approved by the town council prior to submission to the TDA for approval.~~
- ~~(e) The marketing advisory committee shall work closely with local nongovernmental organizations and the private sector to promote tourism that will benefit the community.~~

~~(Code 1986, § 11-91; Ord. No. 10-845, 8-24-2010; Ord. No. 14-954, 9-9-2014)~~

~~Sec. 2-206. Compensation.~~

~~Marketing advisory committee members shall serve without monetary compensation.~~

~~(Code 1986, § 11-92; Ord. No. 10-845, 8-24-2010; Ord. No. 14-954, 9-9-2014)~~

~~Secs. 2-207—2-235. Reserved.~~

~~DIVISION 5. RESERVED⁽⁴⁾~~

Footnotes:

~~—(4)—~~

~~**Editor's note**— An ordinance passed on March 14, 2017 repealed Div. 5, §§ 2-236—2-240, which pertained to an arts and activities committee and derived from Code 1986, §§ 11-93—~~

~~11-97; Ord. No. 12-885, adopted March 13, 2012; Ord. No. 13-919, adopted Aug. 13, 2013; and Ord. No. 14-934, adopted June 10, 2014.~~

~~Secs. 2-236—2-258.—Reserved.~~

~~DIVISION 6.—PARKS AND RECREATION ADVISORY COMMITTEE⁽⁵⁾~~

Footnotes:

~~—(5)—~~

~~**State Law reference**—Administration of parks and recreation programs, G.S. 160A-354.~~

~~Sec. 2-259.—Created.~~

~~There is hereby created a committee to be known as the parks and recreation advisory committee of the town.~~

~~(Code 1977, § 2-7001; Code 1986, § 11-16)~~

~~Sec. 2-260.—Composition; term.~~

~~The parks and recreation advisory committee shall be composed of seven members at large for staggered terms for a period of three years to be appointed by the town council. All members shall be citizens and reside within the corporate limits of the town.~~

~~(Code 1977, § 2-7002; Code 1986, § 11-17; Ord. No. 90-264, 4-10-1990; Ord. No. 08-747, 7-7-2008)~~

~~Sec. 2-261.—Organization.~~

~~The committee shall appoint from its membership a chairperson and such other officers as it may deem necessary for the orderly procedure of its business and may adopt bylaws, rules, and regulations covering its procedure not inconsistent with the provisions of state laws. The committee shall hold regular meetings at such times and places as it may designate.~~

~~(Code 1977, § 2-7003; Code 1986, § 11-18)~~

~~Sec. 2-262.—Function.~~

~~The committee shall from time to time recommend to the council such rules and regulations as may be feasible for providing, maintaining, operating, and supervising the public parks and playgrounds, athletic fields, and recreation centers and recreational facilities owned or controlled by the town. The committee shall help parks and recreation employees with the~~

~~organization or activities provided and conducted on or in connection with the parks, playgrounds, athletic fields, and recreation centers provided.~~

~~(Code 1977, § 2-7004; Code 1986, § 11-19)~~

~~Sec. 2-263.—Duties refunds.~~

~~(a)—Grants, gifts, etc. The committee may accept any grant, gift, bequest, or donation of any personal property offered or made for recreational purposes and, with the approval of the town council, may accept any grant, gift, or device of real estate. Any gift, bequest of money or other personal property, grant, or device of real estate shall be held, used, and finally disposed of in accordance with the terms or conditions under which such grant, gift, or device is made and accepted.~~

~~(b)—Incurring debt. The committee shall have no authority to enter into any contract or incur any obligation binding upon the town other than current obligations or contracts to be fully executed within the then current fiscal year, and all within the budget appropriations made by the town council.~~

~~(Code 1977, § 2-7005; Code 1986, § 11-20)~~

~~Sec. 2-264.—Reports to council.~~

~~The committee shall make full and complete reports to the town council at such times as may be requested and at such other times as the council may deem proper. The fiscal year of the committee shall conform to that of the town.~~

~~(Code 1977, § 2-7008; Code 1986, § 11-21)~~

~~Secs. 2-265—2-291.—Reserved.~~

~~DIVISION 7.—CAROLINA BEACH OPERATIONS DEPARTMENT ADVISORY COMMITTEE~~

~~Sec. 2-292.—Composition; term.~~

~~The Carolina Beach Operations Department Advisory Committee shall be composed of seven members at large and two alternative members for staggered terms for a period of three years to be appointed by the town council. All members shall be citizens and reside within the corporate limits of the town.~~

~~(Code 1986, § 16-232; Ord. No. 08-747, 7-7-2008; Ord. No. 11-878, 9-13-2011; Ord. No. 19-1129, 11-26-2019)~~

~~Sec. 2-293.—Purpose.~~

- ~~(a) The purpose of the committee is to provide an organized forum for two-way communication between the operations department and the community. Where appropriate, the committee may recommend to the town council and operations department on substantive issues, with the goal of improved operations services. The committee will form a team effort towards solving enforcement and community issues such as ordinances, user fees, and all other issues relating to the operations department. The committee shall make full and complete reports annually to the town council at such times as may be requested and at such other times as the council may deem proper.~~
- ~~(b) For the purpose of this division, the term "substantive issues" will be defined as matters of major or practical importance to all concerned. It shall not include personnel issues involving individual employees or daily operational procedure.~~

~~{Code 1986, § 16-233; Ord. No. 04-553, 5-11-2004}~~

~~Sec. 2-294. Membership.~~

- ~~(a) Membership shall be appointed for three year terms. All appointments, except to fill a vacancy, shall be for three year terms. A vacancy is created upon the death or resignation in writing to the chairperson.~~
- ~~(b) Members of the committee shall serve without pay and at the discretion of the town council. The Carolina Beach Operations Director, or his designee, shall serve as the administrator advisor in assisting this board.~~

~~{Code 1986, § 16-234; Ord. No. 04-553, 5-11-2004}~~

~~Sec. 2-295. Organization.~~

- ~~(a) The committee, within 30 days of its appointment, shall meet and elect a chairperson, vice-chairperson, and secretary.~~
- ~~(b) The chairperson shall serve a one year term but cannot serve more than two consecutive terms as chairperson and/or two years. The chairperson shall be counted to determine a quorum, and shall have one vote as other members.~~
- ~~(c) The vice chairperson shall serve a one year term but cannot serve more than two consecutive terms as vice chairperson and/or two years. The vice chairperson shall become chairperson upon the death or resignation of the chairperson or upon the office of the chairperson otherwise becoming vacant. The vice chairperson shall discharge the powers of the office of chairperson at any meeting at which the chairperson is absent. The interim vacancy in the office of vice chairperson may be filled at any regular meeting at which such election has been placed on the notice of agenda to active members. The vice chairperson shall be counted to determine a quorum, and shall have one vote as other members.~~
- ~~(d) The Director of Operations is not a voting member and shall serve in an advisory capacity to the committee.~~

- ~~(e) The secretary of the committee is that person elected by a majority of active members to serve a one-year term but cannot serve more than two consecutive terms as secretary. Upon the death or resignation of the secretary or upon the office of the secretary otherwise becoming vacant, the office of the secretary may be filled at any regular meeting at which such election has been placed on the notice of agenda to send to all active members. In the absence of the secretary at any meeting, the chairperson shall appoint an interim secretary from the active membership present. The secretary shall maintain a record of its members' attendance, its actions, findings and recommendations, which record shall be open to the public. The secretary must provide to the Director of Operations minutes of the meeting to be distributed to the committee and Town Clerk. Minutes must be filed on a monthly basis or immediately following any special meeting in the office of the Town Clerk.~~
- ~~(f) A quorum of three members shall be necessary to take any official action authorized or required by this division. An issue shall carry by a majority of those voting.~~
- ~~(g) Any expired terms and/or vacancies shall be properly advertised. The committee may review all applications and make a recommendation to the town council in order to fill its membership. The town council shall make all appointments to fill expired terms and/or vacancies. The town council may revoke any member for misconduct or nonperformance of duty.~~
- ~~(h) The committee may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provision of this division.~~

~~{Code 1986, § 16-235; Ord. No. 04-553, 5-11-2004}~~

~~Sec. 2-296. Meetings.~~

- ~~(a) Meetings of the operations advisory committee shall be held monthly at the Carolina Beach Municipal Administration Building. Prior notice of any change in meeting date, time and place shall be provided to all members and administrative staff one week in advance of said meeting.~~
- ~~(b) All regular scheduled meetings will have an agenda prepared by the Director of Operations or his designee. The agenda will be distributed to all active members five days in advance, prior to scheduled meeting.~~

~~{Code 1986, § 16-236; Ord. No. 04-553, 5-11-2004; Ord. No. 04-562, 8-10-2004; Ord. No. 05-577, 2-8-2005; Ord. No. 12-890, 5-8-2012}~~

~~Secs. 2-297—2-325. Reserved.~~

~~DIVISION 8. CAROLINA BEACH POLICE ADVISORY COMMITTEE~~

~~Sec. 2-326. Establishment.~~

~~There is hereby created and established the police advisory committee of the town, comprised of nine members and one official or member of the town police department to serve as an ex officio member, and one alternate member, to serve in the absence of a regular member, shall be appointed by the town council, who shall serve in accordance with the directive of the town council. All members shall be citizens and reside within the corporate limits of the town, with the exception of the ex officio member or any person needed to fulfill local, state and federal requirements. There shall be representation from a cross-section of all town citizenry. The police advisory committee is established under the authority of town council, adopted November 13, 2001.~~

~~(Code 1986, § 13-62; Ord. No. 09-787, 5-12-2009; Ord. No. 10-854, 12-14-2010)~~

~~Sec. 2-327. Purpose.~~

~~The purpose of the committee is to provide and organized forum for two-way communication between the police department and the community. This shall include:~~

- ~~(1) Where appropriate, make recommendations to the town council and police department on substantive policy issues, with the goal of improved police services. For the purpose of this division, "substantive issues" will be defined as matters of major or practical important to all concerned. It shall not include personnel issues involving individual officers or daily police operational enforcement and implementation.~~
- ~~(2) Assist in identifying potential police; community partnerships to address public safety related issues within the community.~~
- ~~(3) Identify community resources and support for public safety activities (such as parking, lifeguards and marina); and give input to the town council and the police department regarding perceived effectiveness.~~
- ~~(4) Receive information and comments from citizens at the committee's open and public meeting forum regarding public safety issues.~~
- ~~(5) Make reports to the town council at such times as may be requested by the council or deemed necessary.~~

~~(Code 1986, § 13-63; Ord. No. 09-787, 5-12-2009)~~

~~Sec. 2-328. Membership.~~

~~Membership shall be appointed for three-year terms. All subsequent appointments, except to fill a vacancy, shall be for three-year terms. A vacancy is created upon the death or resignation, in writing, to the committee chairperson. Members of the committee shall serve without pay and at the discretion of the town council. The Police Chief, or his designee, shall serve as the administrator advisor and ex officio member in assisting this committee.~~

~~(Code 1986, § 13-64; Ord. No. 09-787, 5-12-2009)~~

~~Sec. 2-329. Organization.~~

- ~~(a) The committee will meet and elect a chairperson and a vice chairperson. The chairperson shall serve a two-year term. The chairperson shall be counted to determine a quorum (five members) and shall have one vote, as other members.~~
- ~~(b) The vice chairperson shall serve a two-year term. The vice chairperson shall be chairperson upon the death or resignation of the chairperson or upon the office of the chairperson becoming vacant. The vice chairperson shall discharge the powers of the office of the chairperson at any meeting at which the chairperson is absent. The vice chairperson shall be counted to determine a quorum and shall have one vote as other members.~~
- ~~(c) The ex officio member of the committee is a non-voting member and shall serve in an advisory capacity to the committee.~~
- ~~(d) The duties of a secretary response for recording meeting minutes shall be rotated sequentially amongst the committee's membership for each monthly meeting. The chairperson shall be excluded from this responsibility. A roster for monthly secretarial duties shall be established by the committee.~~
- ~~(e) A quorum of five members shall be necessary to take any official action authorized or required by this division. An issue shall carry by a majority of those voting.~~
- ~~(f) Any expired terms and/or vacancies shall be properly advertised. The committee may review all applications and make a recommendation to the town council in order to fill its membership. The town council shall make all appointments to fill expired terms and/or vacancies. The town council may revoke any member for misconduct or nonperformance of duty.~~
- ~~(g) The committee may adopted and amend from time to time rules to govern the conduct of its administrative business, consistent with the provision of this division.~~

~~(Code 1986, § 13-65; Ord. No. 09-787, 5-12-2009; Ord. No. 10-854, 12-14-2010)~~

~~Sec. 2-330. Meetings.~~

- ~~(a) Meetings of the police advisory committee shall be held at the police department or as otherwise properly noticed and arranged. Prior notice of any change in meeting date, time and place shall be provided to all members and the administrative staff one week in advance of said meeting.~~
- ~~(b) All regularly scheduled meetings will have an agenda approved by the chairperson.~~

~~(Code 1986, § 13-66; Ord. No. 09-787, 5-12-2009)~~

~~Secs. 2-331—2-348. Reserved.~~