



Board of Commissioners Agenda

Town of Swansboro

Tuesday, May 14, 2024

Revised 5/14/2024

Board Members

John Davis, Mayor | William Justice, Mayor Pro Tem | Pat Turner, Commissioner
Jeffrey Conaway, Commissioner | Douglas Eckendorf, Commissioner | Joseph Brown, Commissioner

I. Call to Order/Opening Prayer/Pledge

II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda. There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

III. Adoption of Agenda and Consent Items

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items, which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

III. Consent Items:

- [a.](#) January 23, 2024, Regular Meeting Minutes
- [b.](#) January 23, 2024, Closed Session Minutes
- [c.](#) February 12, 2024, Special Meeting Minutes

IV. Appointments/Recognitions/Presentations

- [a.](#) National Public Works Week
- [b.](#) National Police Week
- [c.](#) **Recognition of Lieutenant Phil Molloy**
Presenter: Dwayne Taylor – Police Chief
- [d.](#) **Employee Introductions and Administration of Oath**
Presenter: Dwayne Taylor – Police Chief, Mayor John Davis
- [e.](#) **Onslow County Soil & Water Conservation District Presentation**
Presenter: Rob Johnson – Soil & Water Conservation District Supervisor

V. Public Hearing – None

VI. Business Non-Consent

a. EMC Service Plan Update (Tentative) ***Presenter: Jacob Randall – Fire Chief***

(Supporting details and documentation will be provided at a later time or at the meeting)

b. Amend Cost-Recovery Mitigation Rate Exemption ***Presenter: Jacob Randall – Fire Chief***

The Board of Commissioners directed staff to amend Resolution 2024-R6 that was adopted on April 23, 2024, which established a cost-recovery program and provided parameters for billing.

Recommended Action: Approval of Resolution 2024-R7, amending the previously adopted Resolution 2024-R6.

c. FY 24/25 Draft Budget Discussion/Direction (Revised 5/14/2024) ***Presenters: Jonathan Barlow – Interim Town Manager/Sonia Johnson – Finance Director***

After discussions at the May 7, 2024 special meeting, the Interim Town Manager and Finance Director have made adjustments to the draft FY 24/25 Budget. The Interim Town Manager provided a “net zero” option.

Recommended Action: Authorize a public hearing for the FY24/25 Budget based on the Net-Zero approach. This version includes a 2% COLA and a 2% Merit raise, adds back \$36,000 to PT fire personnel, and provides an additional \$500 bonus to FT Public Safety personnel.

d. Future Agenda Topics ***Presenter: Alissa Fender – Town Clerk***

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

Recommended Action: Discuss and provide any guidance.

VII. Items Moved from Consent

VIII. Public Comment

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

IX. Manager's Comments

X. Board Comments

XI. Closed Session

- a. Recommended Action: Motion to enter closed session pursuant to NCGS 143-318.11 (a) (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract;

XII. Adjournment

Town of Swansboro
Board of Commissioners
January 23, 2024, Regular Meeting Minutes

Item IV - a.

In attendance: Mayor John Davis, Mayor Pro Tem William Justice, Commissioner Larry Philpott, Commissioner Jeffrey Conaway, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf.

Call to Order/Opening Prayer/Pledge

The meeting was called to order at 6:00 pm. Paster Tom Tapping from One Harbor Church led a prayer and Mayor Davis led the Pledge of Allegiance.

Public Comment

Lauren Brown of 601 W Broad Street shared that she had a Master of Public Administration and was interested in serving on the Planning Board and Historic Preservation Commission.

Adoption of Agenda and Consent Items

On a motion by Commissioner Philpott, seconded by Mayor Pro Tem Justice, the agenda and the below items were approved unanimously.

- July 10, 2023, Regular Meeting Minutes
- July 10, 2023, Closed Session Minutes
- July 24, 2023, Regular Meeting Minutes
- July 24, 2023, Closed Session Minutes
- FY 2024-2025 Budget Schedule Adoption
- Resolution 2024-R01 in Opposition to Proposed Homeowners' Insurance Rate Increase

Appointments/Recognitions/Presentations

Recognition of One Harbor Church

Mayor Davis acknowledged One Harbor Church as a partner to our community in the last seven years. He shared that as a tenant they renovated two of our buildings contributing to the beautification of our town. After reading the proclamation, the board shared their appreciation to the One Harbor Church.

Introduction of Interim Manager - Jonathan Barlow

Mayor Davis introduced Johnathan Barlow as the Interim Town Manager. He shared that in 2019, Mr. Barlow served as our Interim Town Manager.

Introduction of Interim Attorney

Mayor Davis introduced Francis Rasberry of the Cauley Pridgen Law firm, as the Interim Town Attorney.

Fire Department Recognitions

Fire Chief Jacob Randall shared that on November 22, 2023, Captain Hannon, Engineer Webster, and Firefighter Wheeler responded to a water related rescue incident with our neighboring agency in Beer Creek to a stranded boater in the marsh on Willis Landing. Onslow County Fire and Rescue learned that the incident was much larger than a stranded boater. The Incident Commander requested Swansboro Fire to respond with our watercraft to assist in the rescue. The Swansboro Crew were able to navigate the difficult sections of tidal creeks, after successfully packing the patient, our crew safely transferred the patient to Onslow County EMS.

A Meritorious Unit Citation was awarded in recognition of the entire company for outstanding company-level operations on a major incident far above any normal emergency operation.

Board Appointments

Town Clerk Fender shared that due to expiration of terms or resignations, there were appointments needed. The appointments needed were as follows:

- Planning Board - One (1) in-town seat and One (1) ETJ seat to consider for appointment. There were 10 in-town application(s) on file. There were 0 ETJ application(s) on file.
- Historic Preservation Commission - Four (4) in-town seats to consider for appointment/reappointment. There were 4 application(s) on file.
- Tourism Development Authority - Three (3) seats to consider for appointment/reappointment. There were 10 application(s) on file.
- Parks Board - Four (4) seats to consider for appointment/reappointment. 2 in-town seats and 1 ETJ seat for reappointment and 1 ETJ vacancy. There were 8 in-town application(s) on file. There were 0 ETJ application(s) on file.

At its December 15, 2023, special meeting, the board tabled appointments to the first meeting in January to allow for more time to consider applicants and for the applicants to be notified that their attendance at the meeting was desired. Those interested in appointments or reappointments were notified via email of the board's desire for their attendance at the meeting.

The following motions and or discussion was held regarding appointments or reappointments to the Planning Board:

On a motion by Commissioner Brown, seconded by Mayor Pro Tem Justice, Tim Vannoy was appointed to the Planning Board. The vote passed 4:1.

Ayes: Brown, Justice, Eckendorf, Conaway

No: Philpott

Commissioner Eckendorf voiced his opinion regarding a member of the Planning board who he felt should not be on the board. He further stated that he found it difficult to trust that individual and moved to remove Scott Chadwick and replace him with Eric Young. Commissioner Brown seconded the motion and it passed 3:2.

Ayes: Eckendorf, Brown, Justice

No: Conaway, Philpott

The following Historic Preservation Commission appointments were made:

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, after Mayor Pro Tem Justice recused himself from voting due to his wife's interest in reappointment, Jonathan McDaniel, Elain Justice, and Gregg Casper were reappointed, and Lauren Brown was appointed to the remaining seat on the Historical Preservation Commission Board. The motion passed unanimously.

Prior to handling the appointments for the Tourism Development Authority, Mayor Davis reviewed that the Tourism Development Authority was established by the state on behalf of Swansboro. He further explained that there were some requirements that needed to be met. Two members must collect occupancy tax, three members are required to promote tourism and travel. They may overlap where they can do both.

Commissioner Eckendorf shared his opinion regarding a member of the Tourism Development Authority who holds a seat in the county with the school district and felt this member should concentrate his efforts on the security of our students due to recent developments. He further stated that dividing his attention with this board would hinder him. He would address this situation later on after making the other appointments.

The following motions and or discussion was held regarding appointments or reappointments to the Tourism Development Authority, resulting in failed and passed motions:

Commissioner Conaway made a motion to reappoint Sherrie Hancock, Scott Chadwick, and Linda Thornley to the Tourism Development Authority. Commissioner Philpott seconded but the motion failed 2:3.

Ayes: Philpott, Conaway

No: Brown, Eckendorf, Justice

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Eckendorf, Linda Thornley was unanimously reappointed to the Tourism Development Authority.

Commissioner Conaway made a motion to appoint Lawrence Abalos to the Tourism Development Authority. Commissioner Philpott seconded but the motion failed 2:3.

Ayes: Conaway, Philpott
 No: Brown, Eckendorf, Justice

Commissioner Philpott motioned to appoint Jane Simpson, however it was explained that Mrs. Simpson had removed herself from the list. Commissioner Philpott withdrew his motion.

On a motion by Commissioner Brown, seconded by Commissioner Eckendorf, Michael Diehl was unanimously appointed to the Tourism Development Authority after Mayor Pro Tem Justice recused himself from voting as Mr. Diehl was his son-in-law.

On a motion by Commissioner Eckendorf, seconded by Mayor Pro Tem Justice, Preston Patterson was appointed to the Tourism Development Authority. The motion passed 4:1.

Ayes: Philpott, Brown, Eckendorf, Justice
 No: Conaway

The board allowed Preston Patterson to address the board and he shared that he was the owner of Preston's Bar & Grill. He shared that he had been in the service industry for 20 years and had lived in Swansboro for 7 years.

Commissioner Eckendorf returned to his comments related to removal of a member from the TDA that was not up for reappointment. He nominated Steven Overby to replace Dusty Rhodes and finish that term on the Tourism Development Authority.

Commissioner Brown and Commissioner Philpott shared that Steven Overby would be overseeing Swansboro funds and their concern was that Mr. Overby was not a Swansboro resident or in the same county.

Commissioner Eckendorf made a motion to appoint Steven Overby to replace Dusty Rhodes to the Tourism Development Authority. Mayor Pro Tem Justice seconded but the motion failed 2:3.

Ayes: Eckendorf, Justice
 No: Brown, Conaway, Philpott

Commissioner Philpott inquired if there was reason to remove Mr. Rhodes from the Tourism Development Authority.

Commissioner Eckendorf stated that some issues had come to light with the school system where Mr. Rhodes was employed for safety and security. He further stated that Mr. Rhodes gave him great doubt about his ability to serve on the Tourism Development Authority. In the past year there had been a killing at Northside High School and a serious gunshot wound incident at White Oak High School and he felt that Mr. Rhodes needed to focus on the safety and security of our schools other than worry about the Tourism Development Authority.

Commissioner Philpott stated that should be a decision that Mr. Rhodes needed to make and not the board.

Mayor Pro Tem Justice made a motion to remove Dusty Rhodes and appointment Commissioner Brown to take the seat. Commissioner Eckendorf seconded the motion. After Commissioner Brown recused himself from voting and the motion tied 2:2.

Ayes: Justice, Eckendorf

No: Philpott, Conaway

In the instance of a tie, per Town Code § 3.7 (A) the mayor shall vote in case of equal division among the board. Mayor Davis voted yes to break the tie.

The following Parks Board appointments were made:

On a motion by Commissioner Philpott, seconded by Commissioner Conaway to reappoint Nancee Allen, Elana Messenger, Debra Pylypiw to the Parks & Recreation Board. Motion Failed 2:3.

Ayes: Philpott, Conaway

No: Brown, Eckendorf, Justice

On a motion by Commissioner Eckendorf, seconded by Commissioner Brown Matthew Prane was unanimously appointed to the Parks & Recreation Board for an in-town seat 3:2.

Ayes: Eckendorf, Brown, Justice

No: Philpott, Conaway

The board allowed Mr. Prane to address the board, and he shared that he was retired from the United States Marine Corps and had lived in Swansboro for the last five years.

On a motion by Commissioner Eckendorf, seconded by Commissioner Brown, Debra Pylypiw was unanimously re-appointed to the ETJ seat on Parks & Recreation Board.

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Philpott, Elana Messenger was unanimously re-appointed to the Parks & Recreation Board.

The board allowed Ms. Messenger to address the board, she shared that she had been in the Parks & Recreation field for the past 20 years and had retired in Swansboro.

A recess was taken from 7:00 – 7:10 pm.

Mayor Davis inquired about the Chair and the vice-Chair designations for the Tourism Development Authority. He further stated that a chairperson had been serving on the board and that the Board of Commissioners would be allowed to select a Vice-Chair out of the six members on the TDA.

Commissioner Philpott inquired if the Commissioners traditionally select a Vice-Chair and Mayor Davis reviewed that there was no vice-chair appointment presently to the TDA.

In response to an inquiry from the board, Town Attorney Rasberry shared that the resolution of the town that established the TDA was unusual in that it calls for the Board of Commissioners to name a chairperson from among that group of six. It does not state if the Board of Commissioners shall or should appoint the Vice-Chairperson but since the resolution creating the TDA calls for the Board of Commissioners to appoint a Chairperson and the board needs a Vice-Chair in case the Chairperson becomes incapacitated/absent. He felt that it would be appropriate for the Board of Commissioners to appoint a Vice-Chair since it is implied that the board has the authority to appoint the Chairperson.

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, Linda Thornley was unanimously appointed as Vice-Chair for the Tourism Development Authority.

Business Non-Consent

LASII Stormwater Master Plan Grant Update

Projects/Planning Coordinator Brehmer updated the board on the LASII Stormwater Master Plan grant. She shared that the Town of Swansboro was awarded a \$400,000 grant and the goal of the Stormwater Master Plan was to collect data and update the database of the Town's stormwater infrastructure for future updates and maintenance. WithersRavenal was selected to complete the project in October of 2023. At a December 18, 2023, kickoff meeting with staff and WithersRavenal, a public outreach meeting was recommended. It was decided that a standalone meeting would be held in February to gather both input and to educate the community of the details of the project. Through monthly progress meetings scheduled with Staff and WithersRavenal, further details of the meeting and project timeline would be available soon.

In response to inquiries from the board Projects/Planning Coordinator Brehmer and Public Works Director Bates clarified the following:

- WithersRavenal would be collecting data and assessing our current assets.
- The easements that are in most need of maintenance would be the focus.
- The process for this project was in the beginning stages with our first meeting taking place on December 18, 2023.
- The project was projected to be finished in December 2025.
- As part of the project, they would collect data about easements and drainage pipes to compile a database for the town to identify where the easements are located and the condition they were in.
- They would survey all the easements to create a guideline database.
- Stormwater map was created back in 2018 and there were 119 stormwater easements/ pipes within the town. WithersRavenal would verify that the map was accurate and adjust it as needed. Maps would be provided in digital and printed formats.
- This project was not the same as the Water Street rehabilitation project, and the Town did not receive any funding for that project, but it would tie into this project by reassessing the downtown area.
- In the downtown area, this project would assist in locating some underground piping that had become obsolete and damaged.
- A survey would be sent out to the community for feedback on where they think the problem areas were located. The survey would be posted on the Town website, QR Code shared through constant contact/email. Paper versions would be printed for pick up from Town Hall and/or mailed.

Public Works Director Bates shared that under the direction of the crew leader Justin Webb last winter Public Works went through all easements on the map. They cleared out many obstructions to get the water to flow better. The crew would return this winter to clear out any obstructions again.

Application for Assistance to Firefighters Grant (AFG)

Fire Chief Randall reviewed the need to communicate with other agencies and how detrimental it was to the success and safety of Emergency Services. While working to strengthen working relationships with surrounding agencies, deficiencies were identified in current capabilities. The Federal Emergency Management Agency (FEMA) provides grant opportunities for enhancing homeland security, preparedness, safety, and community resiliency. One of those grant opportunities is the Assistance to Firefighters Grant (AFG).

Mayor Davis thanked Fire Chief Randall for increasing the number of volunteers to our fire department, the culture change, and adding value to the department.

In response to inquiries from the board, Fire Chief Randall clarified the following:

- The upfront amount would be \$800,000 then drawdown reimbursement comes from FEMA.
- Long term cost would be 3 to 5 thousand on an annual basis for maintenance costs. It was recommended to perform this procedure on a yearly basis but could be skipped.
- We are not guaranteed to be awarded the grant.
- The grant closed on April 30th and awarding would occur after that. There were multiple rounds until they ran out of money. If awarded the grant money would need to be approved within thirty days. Money does not have to be spent till the next budget year.
- The department had six radios, and they are operable and will be planning for more in the next budget year.
- Swansboro can operate however Hubert cannot.
- Moving forward they would need more equipment.
- \$74,000 cost share with Hubert would be a 50/50 split depending on how many units the split could be different.
- The maker of the emergency radio system was Motorola, and the longevity of the equipment was 10 to 15 years with a 1-year warranty.

On a motion by Commissioner Conaway, seconded by Mayor Pro Tem Justice, it was unanimously approved for the Fire Department to seek regional grant funding for essential communications equipment through the FY 2023 Assistance to Firefighters Grant (AFG) as the “host” agency partnering with the Hubert Volunteer Fire Department, estimating \$822,800 but not to exceed \$900,000. Additionally the town manager and fire chief would draft a cost-share agreement preparing for any award notifications or the potential for future financial opportunities to maximize cost efficiency between agencies.

Application for Staffing for Adequate Fire and Emergency Response (SAFER)

Fire Chief Randall reviewed that through evaluation, risk analysis, and strategic planning, the Town of Swansboro Fire Department identified a needed increase to the staffing level and medical services capabilities to better protect the livelihood of our citizens and guests. The Federal Emergency Management Agency (FEMA) provides grant opportunities for Staffing Adequate Fire and Emergency Services (SAFER) to hire personnel and enhance the level of Emergency Services offered by the Town of

Swansboro. If the grant is awarded to the town, it would be brought back to the Board of Commissioners for further consideration.

In response to inquiries for the board Fire Chief Randall clarified the following:

- Would need to review prior proposals to see if they supported a reason for denial in the past.
- Grant expires after three years.
- A partnership with Hubert had not yet been discussed.
- In the event that hiring becomes an issue, they could specify in the grant that they would hire and train fire fighters to reach the paramedic level.
- A number of upcoming applications from the academy are seeking part-time positions with the possibility of leveling up.
- This grant cannot be used to enhance training or salaries of current employees, new positions are funded solely by the grant.
- There are two types of SAFER grants, one funds hiring of fire fighters and the other funds recruiting and retention. We can only apply for one at a time.

Commissioner Philpott shared his concern about addressing the issue after the grant expires. In many cases, he believed the program would end if we failed to find a means to sustain it. It would be necessary to obtain other revenue sources after three years in order to continue to support this program. Study on salaries could result in an increase, which could potentially be expensive in the future.

Mayor Davis requested that the Interim Manager Barlow pursue looking into having our fire fighters be allowed to perform as paramedics with the county.

On a motion by Commissioner Conaway, seconded by Commissioner Brown, it was unanimously approved for the Fire Department to seek funding for hiring twelve (12) personnel through the FY 2023 Staffing for Adequate Fire and Emergency Services (SAFER) grant for an application minimum of \$2,693,516.12 but not to exceed a maximum request of \$2,850,000.00. Additionally, the Fire and Police Chief would compile options for a public safety pay scale to promote recruitment and retention and reduce employee classification compression.

Commissioner Philpott expressed his appreciation for the well-prepared packet presentation. He stated that he supported salary compression but would like to support other employees here in-town who are also experiencing the same issues.

Monthly Financial Report as of December 31, 2023

Finance Director Johnson reviewed details from the monthly financial report, attached herein with the power point presentation of the meeting.

In response to an inquiry from the board, Mrs. Johnson clarified that the additional \$3 million provided by the State through the SCIF funds was estimated to be received in the coming weeks once the process was completed for providing details that the state had requested. Once the funds were received, they would be added to the TD Bank investment account for the SCIF Funds for EOC & Sidewalks.

Future Agenda Topics

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the board to introduce items of interest and subsequent direction for placement on future agendas.

The following items were addressed:

- Community Presentations for area organizations
- Moratorium Considerations
- Schedule special meetings for town department introductions & budget
- Schedule a special meeting to review the Historic Associations proposal
- Presentation from JOED

Public Comment

Terri Hebert of 102 Oyster Bay shared that she lived across the proposed Sand Dollar Homes proposed development on Swansboro Loop Road. She shared that she would like to see the Land Use Plan amended. She further inquired about how citizens can address that they do not want more development.

Mayor Davis agreed that it would be beneficial to have a Land Use discussion in the near future.

Manager's Comments

Interim Manager Barlow did not have any comments but had Public Works Director Bates update the board on projects that would be occurring soon. Mr. Bates shared that a pedestrian ramp project would be completed by NCDOT and provided a map of the work

areas. (See attachment A.) He also informed the board that the Seawall project repair would start on or around January 25, 2024.

Board Comments

Mayor Pro Tem Justice and Commissioner Brown thanked the Fire Department for their quick response to the gas leak at Walmart.

Closed Session

On a motion by Commissioner Conaway, seconded by Commissioner Philpott the board entered closed session at 8:34 pm pursuant to NCGS 143-318.11 (a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege; and (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Pursuant to a motion duly made and seconded in closed session the board returned to open session at 10:11 pm.

On a motion by Commissioner Brown, seconded by Commissioner Eckendorf, the Emergency Operation Center Committee was unanimously dissolved.

On a motion by Commissioner Eckendorf, seconded by Commissioner Brown, a committee for land acquisition with Keith Walsh as chair was unanimously approved.

Adjournment

On a motion by Commissioner Philpott, seconded by Commissioner Conaway the meeting was adjourned at 10:17 pm.

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – 502 Main St./SR 1447



Swansboro – SR 1447/Harbor View Dr.



X = Remove and replace existing with Type 1 directional curb ramp.

1

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Hwy 24/Park Ln.



X = Remove and replace existing with Type 1 directional curb ramp.
X = Remove existing curb ramp.
X = Install raised truncated dome. (4 feet wide)

3

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – SR 1447/SR 1449



Swansboro – Hwy 24/First Baptist Church



X = Remove and replace existing with Type 1 directional curb ramp.

2

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro Historic District:

Swansboro – Main St./First Citizens Bank



X = Remove and replace existing with Type 1 directional curb ramp.

4

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Main St./Elm St.



Swansboro – Main St./Water St.



- X = Remove and replace existing with Type 1 directional curb ramp.
- Y = Remove and replace existing with a 2-way Type 2A parallel curb ramp.
- Z = Remove and replace existing sidewalk and add a truncated dome.

5

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Elm St./First Citizens Bank



Swansboro – Elm St./Church St.



- X = Remove and replace existing with Type 1 directional curb ramp.

7

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Hwy 24/Water St.



Swansboro – Hwy 24/Elm St./Moore St.

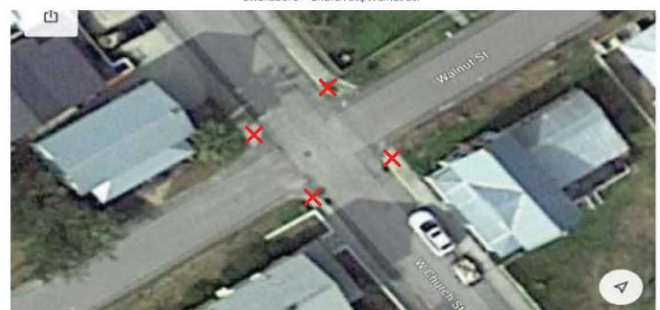


- X = Remove and replace existing with Type 1 directional curb ramp.
- Y = Remove and replace existing with Type 2 parallel curb ramp.
- Z = Remove and replace existing with 4" concrete sidewalk.
- X = Remove and replace existing with 2-way Type 2 parallel curb ramp.

6

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Church St./Walnut St.



Swansboro – Church St./Webb St.



- X = Remove and replace existing with Type 1 directional curb ramp.
- Y = Remove and replace existing with Type 2 parallel curb ramp.
- X = Remove and replace existing with 2-way Type 2 parallel curb ramp.

8

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Church St./Sabiston St.



Swansboro – Church St./Water St.



- X = Remove and replace existing with Type 1 directional curb ramp.
- Y = Remove and replace existing with Type 2 parallel curb ramp.
- X = Remove and replace existing with 2-way Type 2 parallel curb ramp.
- X = Install raised truncated dome.

9

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Quantities:

R&R Curb Ramp	Each	57
R&R Sidewalk	Square Yard	40
R&R Curb & Gutter	Linear Feet	350
Retrofit Truncated Dome	Each	
Raised Truncated Dome	Each	3
New Curb Ramp	Each	
New Concrete Sidewalk	Square Yard	5
New Curb & Gutter	Linear Feet	
Demolish Sidewalk	Square Yard	
Demolish Curb & Gutter	Linear Feet	
Demolish Curb Ramp	Each	

11

Proposed ADA Improvement Project
Swansboro, Onslow County

Swansboro – Church St./Front St.



- Y = Remove and replace existing with Type 2 parallel curb ramp.
- X = Remove and replace existing with 2-way Type 4 shared landing curb ramp.

10

Town of Swansboro
Board of Commissioners
February 12, 2024, Special Meeting Minutes

Item IV - c.

In attendance: Mayor John Davis, Mayor Pro Tem William Justice, Commissioner Jeffrey Conaway, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf. Mayor Davis shared that Commissioner Larry Philpott had submitted his resignation earlier in the day, effective immediately, therefore the board currently had 1 vacancy.

Call to Order/Opening Prayer/Pledge

The special meeting was called to order at 6:00 pm. Mayor Davis led the Pledge of Allegiance. The purpose of the meeting was to receive a presentation from Mark Sutherland of JOED related to Economic Development in the Swansboro area, EOC/PSB Site Search Committee appointments and Planning Board appointments.

Public Comment

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

Adoption of Agenda

On a motion by Commissioner Conaway, seconded by Commissioner Brown, the agenda was adopted unanimously.

Appointments/Recognitions/Presentations

EOC/PSB Site Selection Committee

Interim Manager Barlow reviewed that at its January 23, 2024, meeting, the Board of Commissioners created a committee for the purpose of searching for a site to build the EOC/PSB. Keith Walsh was appointed as chair and provided with the responsibility for recommending members.

Mr. Walsh had recommended the following members:

- Commissioner Doug Eckendorf
- Melissa Anderson
- Junior Freeman
- Roy Herrick

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Brown, Resolution 2024-R2 creating the EOC/PSB Site Selection Committee and appointing the members recommended was adopted unanimously.

Board Appointment

Town Clerk Fender shared that Eric Young was appointed to the Planning Board at the

January 23, 2024, regular meeting, however he declined the appointment. Therefore, an appointment was needed for an in-town seat. A vacancy still existed for one ETJ seat.

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Eckendorf, Jerry Seddon was unanimously appointed to the vacant in-town seat on the Planning Board.

Economic Development Presentation

Mark Sutherland - Executive Director of JOED provided the board with an update and reviewed his slides, attached herein with the power point presentation of the meeting.

In response to inquiries from the board regarding "Project Coffee", Mr. Southerland shared the following:

- Would be 30-acre light industrial park with multiple businesses.
- 200 +/- primary jobs.
- Estimated tax base was \$30 million.
- A draft resolution in support of the project could be provided for approval at the February 13, 2023, meeting.
- To date only a preliminary engineering report had been obtained, however, proceeding further requires support of Phase I from the Town.
- JOED has a good track record for obtaining grants.

In response to inquiries from the board, Planning Correll clarified that setback, buffers, architectural elements, wetland preservation and other matters such as those would be addressed by the Town Unified Development Ordinance. Additionally, to accommodate certain needs that the UDO prohibits or restricts, a developer can apply for Conditional Zoning, and or variances.

Board members supported adding adoption of a Resolution in support of "Project Coffee" to the next regular meeting agenda.

The board allowed for comments from the public and Charles Rawls urged them to support the project.

Board members shared the following comments/concerns:

Commissioner Conaway and Mayor John Davis both had concerns with increase of cost for Fire and Police Services, and more congestion on Highway 24 with 200+ jobs being added at some point.

Commissioner Eckendorf shared that planned growth usually invites more capital and allows for planning for success.

Mayor Pro Tem Justice shared his appreciation for the presentation, while he supported the project, he would like to see the project handled in a manner that infrastructure would not be stressed.

Adjournment

On a motion by Commissioner Conaway, seconded by Mayor Pro Tem Justice, the meeting was adjourned at 6:58 pm.



Proclamation

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now, Therefore, I, John Davis, Mayor of the Town of Swansboro, North Carolina, along with the Board of Commissioners do hereby proclaim the week of May 19-25, 2024

NATIONAL PUBLIC WORKS WEEK

in The Town of Swansboro and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

This 14th day of May 2024.

Attest:

Alissa Fender, Town Clerk

John Davis, Mayor

Proclamation



- Whereas,** Congress and the President of the United States have designated May 15th as “PEACE OFFICERS MEMORIAL DAY”, and the week in which May 15th falls as “NATIONAL POLICE WEEK”; and
- Whereas,** the members of the Swansboro Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Swansboro; and
- Whereas,** it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and
- Whereas,** the men and women of the Swansboro Police Department and all agencies of Onslow County and its municipalities are to be commended for their dedication and service to the people in potentially dangerous circumstances every day.

Now, Therefore, I, Mayor John Davis and the Swansboro Board of Commissioners hereby call upon all citizens and upon all patriotic, civic and educational organizations to observe the week of May 12th – 18th, 2024 as “**NATIONAL POLICE WEEK**” with appropriate observances in which all our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Further, we call upon all citizens of Swansboro to observe May 15, 2024, as “**PEACE OFFICERS MEMORIAL DAY**” in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

This 14th day of May 2024.

Attest:

Alissa Fender, Town Clerk

John Davis, Mayor



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Amend Cost-Recovery Mitigation Rate Exemption**

Board Meeting Date: **May 14, 2024**

Prepared By: **Jacob Randall – Fire Chief**

Overview: The Board of Commissioners directed staff to amend Resolution 2024-R6 that was adopted on April 23, 2024, which established a cost-recovery program and provided parameters for billing.

Expanded Overview: The Board of Commissioners approved Resolution 2024-R6, which excluded Town of Swansboro and Onslow County Citizens contributing to revenue through levied ad valorem taxes from having their insurance billed for services rendered by emergency services. At the direction of the board, an amendment is needed to remove the exemption to Onslow County citizens residing outside of the incorporated town limits of Swansboro.

Background Attachment(s): Resolution 2024-R7

Recommended Action: Approval of Resolution 2024-R7, amending the previously adopted Resolution 2024-R6.

Action: _____

RESOLUTION 2024 – R7
BY THE GOVERNING BODY RECIPIENT

WHEREAS, the Town of Swansboro Board of Commissioners wishes to amend Resolution 2024-R6, adopted on April 23, 2024, to remove exemption of applicable mitigation rates to those residing in, Onslow County, and contributing to, or having ad valorem levied on such property within its boundaries.

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergencies, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions and

WHEREAS, the Town of Swansboro Board of Commissioners desire to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system per applicable laws, regulations, and guidelines; Now, Therefore

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO:

The Swansboro Fire Department shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

A claim shall be filed to the responsible party(s) through their insurance carrier. Except those residing in the Incorporated Limits of the Town of Swansboro and contribute to or have ad valorem taxes levied against real property in the responsible party(s) name.

The Swansboro Board of Commissioners may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

It is found and determined that all formal actions of this Board of Commissioners concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Board and that all deliberations of this Board and any of its committees that resulted in such formal actions followed all legal requirements and the Codified Ordinances of the Board of Commissioners.

This Resolution, "Exhibit A," and the associated Unified Development Ordinance 34.04 shall take effect thirty (30) days from the date of adoption as permitted by law.

The Mitigation Rates listed in Exhibit A will increase annually based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor. Rate adjustments will occur on the anniversary date of this ordinance/resolution to keep the fire department's cost recovery program in conformity with increasing operating expenses.

Adopted this 14th day of May 2024.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk

EXHIBIT A
MITIGATION RATES

BASED ON PER HOUR

The mitigation rates below are average “billing levels” and are typical for the incident responses listed. However, when a claim is submitted, it may be itemized and based on the actual services provided.

These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance). Labor rates include an average department’s actual burdened labor costs, not just a firefighter’s wage. These include wages, retirement, benefits, workers comp, etc.

MOTOR VEHICLE INCIDENTS

Level 1 - \$602.00

Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level.” This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$687.00

This includes Level 1 services, clean up, and materials (sorbents) used for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids spilled due to the accident/incident.

Level 3 – CAR FIRE - \$838.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids spilled due to the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,811.00

This includes heavy rescue tools, ropes, airbags, cribbing, etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and the fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$553.00

This includes air care (multi-engine company response, mutual aid, helicopter). We will bill at this level whenever a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You can bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and three reasonable (UCR). These incidents will be billed, itemized per apparatus, personnel, and products and equipment used.

HAZMAT

Level 1 - \$972.00

Basic Response: The claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up, and command.

Level 2 - \$3,473.00

Intermediate Response: The claim will include engine response, first responder assignment, hazmat-certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air, and detection equipment. Set-up and removal of decon center.

Level 3 – \$8,199.00

Advanced Response: The claim will include engine response, first responder assignment, hazmat-certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up command, Level A or B suit donning, breathing air and detection equipment, and robot deployment. Set up and remove of decon center, detection equipment, recovery, and material identification. Disposal and environment clean up. This includes any disposal rates of material, contaminated equipment, and material used at the scene. Includes 3 hours of on-scene time - **each additional hour @ \$381.00 per HAZMAT team.**

FIRES

Assignment - \$554.00 per hour per engine / \$693.00 per hour per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the fire department

responds to an incident.

OPTIONAL: A fire department can bill each fire as an independent event with custom mitigation rates. Itemized, per person, at various pay levels, and for itemized product use.

ILLEGAL FIRES

Assignment - \$554.00 per hour per engine / \$693.00 per hour per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and, the permit was not obtained, and the fire department is required to respond to contain the fire, the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs, and any other costs that can be reasonably allocated to the response cost.

WATER INCIDENTS

Level 1

Basic Response: The claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety, and investigation (including possible patient contact and hazard control). This will be the most common “billing level.” This occurs almost every time the fire department responds to a water incident.

Billed at \$554 plus \$68 per hour per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$1,110 plus \$68 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,747 plus \$68 per hour per rescue person, plus \$134 per hour per HAZMAT team member.

Level 4

Itemized Response: You can bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

The minimum bill is \$554 plus \$68 per hour per rescue person. Additional rates of \$554 per hour per response vehicle and \$68 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of command and providing direction for the incident. This could include operations, safety, and administration of the incident.

Billed at \$347 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$554 per hour.

Truck billed at \$693 per hour.

Miscellaneous equipment billed at \$416.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels” for one hour of service and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided. These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter's basic wage). The actual personnel expense includes wages, retirement, benefits, workers comp, insurance, etc.



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **FY 24/25 Draft Budget Discussion/Direction**

Board Meeting Date: May 14, 2024

Prepared By: **Jonathan Barlow – Interim Town Manager & Sonia Johnson – Finance Director**

Overview: After discussions at the May 7, 2024 special meeting, the Interim Town Manager and Finance Director have made the following adjustments to the draft FY 24/25 Budget. The Interim Town Manager provided a “net zero” option.

Funded highlights after discussions at the May 7, 2024 BOC meeting include:

2% COLA

New Personnel \$72,630 (Police Lieutenant & Police Officer (Grant Submitted)

NC Orbit Retirement: Increase .75 basis points

NCLM Property & Casualty 17.5% increase

NCLM Workers Comp 10% increase

NCLM Group Health Insurance increased 4%

Capital Outlay \$570,000-Funded using Loan Proceeds

Added:

2% Merit

Fire-Part-time-\$36,000

Bonus for Public Safety Personnel

Required: Travel/Conference/Training

Major budget requests that were unfunded (to date):

Recreation Coordinator-FT: \$57,534

Recreation Assistant-PT: \$10,851

Dock Attendants-PT (2): April 1st – November 23rd) \$20,884

Firefighter II-FT: (3) January 2025-June 2025: \$105,852

Capital Reserve: \$225,000 (Fire), \$16,000 (Police), \$102,500 Parks & Recreation

The current draft is balanced with \$724,611 appropriation from fund balance for items requested by the Board of Commissioners at the April 23rd meeting.

1. Sidewalks-\$500,000
2. Christmas Lights-\$20,000
3. Town Hall Digital Sign-\$18,000
4. Pickleball Court-\$150,000

Added:

New workstations-(24 workstations) compatible with Windows 11-\$36,611

Recommended Action: Authorize a public hearing for the FY24/25 Budget based on the Net-Zero approach. This version includes a 2% COLA and a 2% Merit raise, adds back \$36,000 to PT fire personnel, and provides an additional \$500 bonus to FT Public Safety personnel.

Action: _____



Board of Commissioners Meeting

Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **May 7, 2024**

Prepared By: **Alissa Fender – Town Clerk**

Overview: The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc.

In providing this memo each month, we hope it will also provide an opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

May 28th

- * Presentation – One Place
- * Recognition of Andrea Correll
- * ONWASA Admin Services Agreement
- * Public Hearings
 - o CAMA Land Use Plan Amendment
 - o UDO Text Amendments for Note to the Table of Permitted/Special Uses and Table of Area, Yard, Square Footage and Height Requirements
- * EOC/PSB Site Selection Committee Updates as needed
- * Financial Report

July meeting dates

9th & 23rd

May 29th – Quasi Judicial Training

June 11th or 25th

- * Presentation – Ricky's Retreat
- * Recognition of Swansboro Historical Association
- * Public Hearing
 - o Special Use Permit – Ward Farm
- * Financial Report

Future Agenda Items

- | | |
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| <ul style="list-style-type: none"> * American Rescue Plan Funding Recommendations (updates) * Building Standards (<i>Concerns with tarps and homes in poor repair all around town brought up 2.14 meeting</i>) * Swimming Pool/Consideration for Establishing a Pool Committee (<i>on hold for P&R Master Plan</i>) * Duke Energy Presentation * Wayfinding Signs * High School Recognitions – <i>revisit/revise</i> * Street Acceptance of Swansgate and Shadow Creek (<i>developer has applied</i>) * Highway 24 Superstreet Presentation – <i>rescheduled</i> * Waterfront Access and Development Plan (<i>review/revision considerations</i>) | <ul style="list-style-type: none"> * Town Code Amendment to Chapter 91: Fire Prevention * Community Presentations (<i>ongoing monthly</i>) <ul style="list-style-type: none"> o <i>Onslow Memorial Hospital (July 9th)</i> * Special Meeting Workshops as needed * Moratorium discussion * Sidewalk considerations to connect One Harbor property to Recreation Center * 2nd Amendment/Weapon Allowance at Town Hall * DOD Grant * EV Charging fees * Text Amendment related to Boat Storage * Resolution on Fund Balance threshold |
|--|---|