



Board of Commissioners Agenda

Town of Swansboro

Monday, December 12, 2022

Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner | Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Jeffrey Conaway, 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. Meeting Minutes

- June 13, 2022 Regular Meeting
- June 13, 2022 Closed Session
- June 27, 2022 Regular Meeting

b. Contract

- Lease renewal: 502 Church St. (Heritage Museum)

IV. Appointments/Recognitions/Presentations

a. 2022 Samuel Swann Bland Community Service Award *Presenter: Mayor John Davis*

The Samuel Swann Bland Community Service Award was created to honor the diligence, hard work, leadership, and dedication that characterized the contributions of Sam Bland to the public and the Swansboro Community. The award is made annually to a public employee, civic leader, or community volunteer that has demonstrated the qualities of outstanding dedication to the

improvement of community services that were exhibited in the career and contributions of Samuel Swann Bland.

b. Board Appointments

Presenter: Alissa Fender – Town Clerk

Due to expiration of terms or resignations, there are several board appointments needed. A list of expirations is provided below as well as those members who seek re-appointment and a Talent Bank Sheet with those citizens with an interest to serve.

Recommended Action:

1. Consider appointments to the Planning Board
2. Consider appointments to the Historic Preservation Commission
3. Consider appointments to the TDA
4. Consider appointments to the Parks Board

V. Public Hearing

a. Zoning Map Amendment to Rezone Parcels Along Water Street from B2HDO to R6SF

Presenter: Andrea Correll, AICP – Planner

The Town of Swansboro Board of Commissioners has expressed interest to down zone the parcels along Water Street from Drudy Lane to Casper's Marina from B2HDO to R6SF.

Recommended Action: Consider motion to approve or deny rezoning of the parcels along Water Street from Drudy Lane to Casper's Marina from B2HDO to R6SF.

VI. Business Non-Consent

a. 2023 Board of Commissioners Meeting Schedule

Presenter: Alissa Fender – Town Clerk

NCGS 160A-71 provides that the Board establish a time and place for its regular meetings. The 2023 meeting schedule has been prepared based on the Town's Administrative Policy 1F which states that the Board of Commissioners meeting dates fall on the 2nd and 4th Monday of each month. Once adopted, the meeting schedule will be posted on the bulletin board outside the Administrative Offices at Town Hall and on the Town website.

Recommended Action: Adopt 2023 meeting schedule A or B

**b. Text Amendment/Town Code Chapter 74 Traffic Schedules
Schedule V. One-Way Streets**

Presenter: Dwayne Taylor, Chief of Police

After conducting numerous surveys regarding traffic flow on Church Street, it is proposed that traffic on Church Street be designated as "One Way" starting at Front Street and continuing northwest to Walnut Street. The width of Church Street, along with on street parking, make it impossible for two vehicles to travel in opposite directions without causing congestion.

Recommended Action: Motion to approve or deny Ordinance 2022-016

c. Onslow County Interlocal Agreement-Fire Protection Services and Fire Protection Mutual Aid

Presenter: Paula Webb, Town Manager

During the FY 22/23 budget process we shared information that Onslow County would approve an allocation of \$0.03 of its ad valorem tax rate collected from properties within the Town's incorporated borders each fiscal year for fire protection services (only) beginning in FY 22/23 and thereafter for as long as the agreement remains in place. In addition to the Interlocal Agreement – Fire Protection Services, a new Fire Protection Mutual Aid Agreement is provided.

Recommended Action: Motion to approve MOA's as written and authorize the Mayor, Manager and Clerk to execute as provided.

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

a. Projects Report

X. Board Comments

XI. Closed Session

XII. Adjournment

Town of Swansboro
Board of Commissioners
June 13, 2022, Regular Meeting

Item IV - a.

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Mayor Pro Tem Tursi, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

Call to Order

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

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

Adoption of Agenda and Consent Items

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the Agenda and below consent item were unanimously approved.

-Contract: ONWASA Administrative Services Agreement 22/23

Appointments/Recognitions/Presentations

Municipal Finance Month

The month of June was designed as Municipal Finance month and Finance Director Sonia Johnson and Finance Clerk Ashley Mastracco were recognized.

Employee Introduction

Fire Chief David Degnan introduced the new Assistant Fire Chief William Stanley. Mr. Stanley had worked in a part time capacity since 2015 and brought 15 years of experience to the department.

Public Hearing

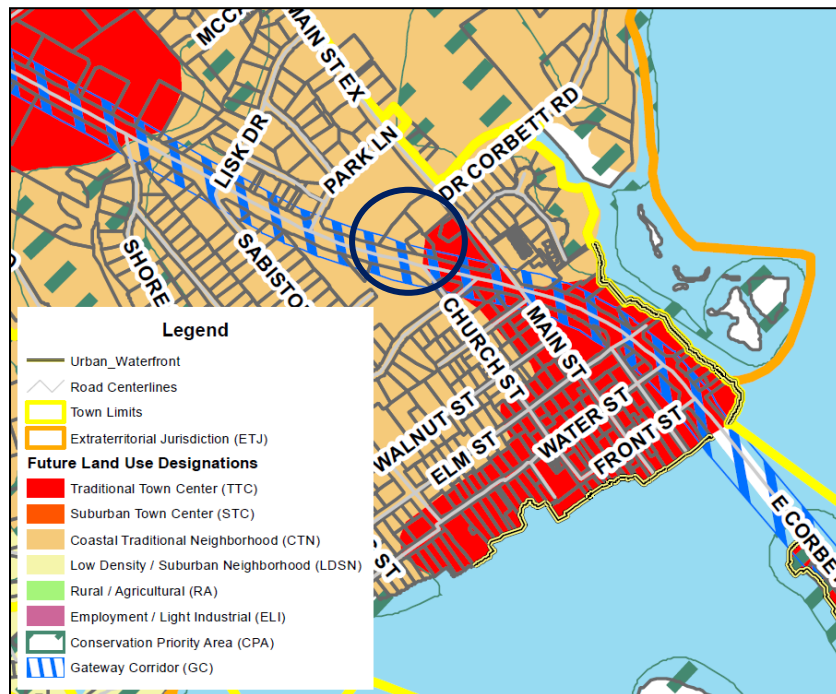
Special Use Permit/522 W. Corbett Avenue

Planner Jennifer Ansell reviewed that the property at 522 W. Corbett Ave was zoned B-2, General Business. Single-family Dwellings are allowed in the B-2 zone with a Special Use Permit. The dwelling at this location was constructed in 1948 and had been used as such until July 2020, when the water was disconnected due to a leak. Ms. Barnes is applying for a Special Use permit to allow the reinstatement of the dwelling use at this location.

The public hearing was opened at 5:44 pm and closed. No comments were offered.

In reviewing the special use permit, the Board gave due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use was to be located and made the following findings of fact concerning the request.

- 1) The special use is allowed pursuant to § 152.210 and meets all the required conditions and specifications, including without limitation, those set out in § 152.211. *The special use, "Dwelling, single-family", is allowed by the Table of Uses in the B-2 zoning district. There are no specific conditions required under Section 152.211.*
- 2) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. *The property has traditionally been used as a dwelling, since at least 1948 based on the tax record.*
- 3) The special use will not substantially injure the value of adjoining or abutting property, OR the special use is a public necessity. *The request is to reinstate the residential use, therefore there will be no effect on adjacent property values.*
- 4) The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by G.S. §160A-382(b). *The CAMA Land Use Plan Update (2019) identifies the property as Coastal Traditional Neighborhood (CTN): The Coastal Traditional Neighborhood designation is defined as primarily single family residential, but with multi-family structures sprinkled throughout, this high-density district is walkable and its residents primarily support the businesses in the Traditional Town Center (TTC).*



This community type is based on historical and existing densities found in the oldest residential sections of Swansboro. It is not uncommon to have a variety of residential products, including accessory dwellings or garage apartments, duplexes, quadplexes, patio or garden apartments, and small or context sensitive apartments.

This walkable district is the "old town" residential neighborhood that surrounds the historic central business district. It is walkable and dense, with small lots clustered on regular blocks that create a cozy and neighborly feel. While it is not uncommon for a non-residential use to occupy a previously residential structure, most non-residential uses occur in the nearby mixed use activity node, which is within a short walk. The historic development pattern has narrow streets and rights-of-way, with sidewalks generally only on one side of the street. Lots are narrow, but porches are wide.

- 5) Upon the issuance of any special use permit, the Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area, and ensuring that the use is consistent with the spirit of the ordinance, and shall affix to such permit such reasonable and appropriate conditions as it finds are necessary for any of those purposes. If any conditions affixed to any special use permit or any part thereof is held invalid by any competent authority, then said special use permit shall be void. *No conditions were added.*

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the Special Use Permit for 522 W. Corbett Avenue to allow the reinstatement of the dwelling use at this location was approved unanimously based on the written findings above.

FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule

Town Manager Paula Webb reviewed that the FY 2022/2023 Annual Budget was originally submitted on May 27, 2022. The budget was prepared in accordance with N.C.G.S. Chapter 159, the North Carolina Local Government Budget and Fiscal Control Act. As required, all funds within the budget are balanced, and all revenues and expenditures were identified for FY 2022/2023.

The total budget was in the amount of \$5,562,883 which represents an increase of 2% from the FY 2021/2022 Amended Budget of \$5,463,305. The tax rate was proposed to remain unchanged at \$0.35 per \$100 valuation. The General Fund Budget for FY 2022/2023 is balanced with \$0 of fund balance.

The public hearing was opened at 5:54 pm.

Those who spoke were:

Roy Herrick of 109 Cormorant Drive commented that he felt the budget presentation was misleading related to the valuations and ad-valorem taxes. He shared that recent home value increases would be temporary, and they will go back down again and urged the board to explain to the citizens why certain expenses were needed and/or justified. He states that he felt many families will be affected negatively by the home value increases causing their taxes to increase and consideration should be made to lower the tax rate.

Douglas Eckendorf of 113 Cormorant Drive shared that he agreed with Mr. Herricks comments and feels that the tax rates should be reduced for the benefit of the citizens.

Cynthia LaCorte of 220 Elm Street stated that as a local realtor, she was aware that there were many people in the community suffering due to inflation, gas prices, and other cost increases and urged the board to also lower the tax rate.

Junior Freeman 103 Bridgeview Lane also shared that he also felt the tax rate should be decreased stating that cost for many things were increasing.

The public hearing was closed at 6:05 pm.

Mayor Davis shared that he felt a tax rate decrease and a pay raise provided to both the Police Chief and Fire Chief should be considered in this budget.

During discussion, all board members shared that they supported the proposed budget with the tax rate remaining the same. It was noted that an increase in personnel salaries could not be considered in the future if the tax rate was reduced.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Conaway, the FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule was approved unanimously.

Business Non-Consent

Budget Ordinance Amendment #2022-11

Finance Director Sonia Johnson reviewed that the budget ordinance needed to be amended for multiple departments.

1. Admin Services: Following comments received at various advisory boards levels (Historic Preservation and Planning Board) on the Special Use Permit requested by Jack Harnatkiewicz to construct an additional dockage at 147 Front Street, the Board directed Staff to seek an additional maritime expert statement. Attorney Parson identified Geosyntec Consultants of NC, P.C. for such statement. The cost of that review and statement is \$8500. Requesting \$8,500 to be appropriated from fund balance for its intended purpose.
Source of funds: Appropriated Fund Balance
2. The Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350

with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution. The project will include the following:

- a. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
- b. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.

Acceptance of the grant was delayed due to COVID and management turnover.

During the delay, the previous business (Pogies) that housed a private kayak launch, relocated and took the kayak launch with them. This allowed the engineer to add one additional slip where the kayak launch was when preparing the final plans for permit modification – a total of 7 slips. In preparing the final drawings, the engineer and surveyor then discovered that the normal low water depth was a foot lower than thought. Solutions included eliminating slip 7 or adding a small amount of dredging near the shoreline at an estimated cost of \$3000-5000. Staff recommends an amendment of \$5000 for dredging to preserve the additional slip. Requesting \$14,000.00 to be appropriated from fund balance.

Source of funds: Appropriated Fund Balance

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott budget Ordinance 2022-11 was approved unanimously.

Adopting a Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project

Finance Director Sonia Johnson reviewed that the Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350 with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution.

On a motion by Commissioner Pugliese, seconded by Commissioner Conaway the Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project was adopted unanimously.

Future Agenda Items

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:

- Add EOC discussion to future agenda
- Add Appearance Commission discuss to future agenda
- Add virtual meeting access for citizens to next meeting
- Commissioner Philpott shared that two members of the EOC committee had not been attendance and requested approval to replace them. Board members agreed that a replacement could be made, and the Town Manager would confirm and finalize the process.

Public Comment

Douglas Eckendorf of 113 Cormorant Drive thanked the Board for their discussion and stated that in several years the Board is going to have to address such situations again in the future.

Cynthia Lacorte of 220 Elm Street shared that she thought their choice not to lower taxes would hurt the residents and she intends to do all that she can to see that the members of this board are not re-elected.

Closed Session

On a motion by Commissioner Philpott, seconded by Commissioner Conaway the board entered closed session at 6:47 pm pursuant to NCGS 143-318.11 (a) (3) to consult with the attorney in order to preserve the attorney-client privilege.

During closed session, a motion was made and seconded to return to open session. No action was taken.

Adjournment

On a motion by Commissioner Pugliese, seconded by Commissioner Turner, the meeting adjourned at 7:05 pm.

**Town of Swansboro
Board of Commissioners
June 27, 2022, Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Mayor Pro Tem Tursi, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

Call to Order

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

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

Adoption of Agenda and Consent Items

On a motion Commissioner Philpott, seconded by Commissioner Conaway, the Agenda was amended to remove Parks & Rec Month recognition, add Front Street Speed Limit discussion and the below consent items were unanimously approved.

- a. Tax Refunds: below-listed totaling \$76.59.

Azok, Stephen Julius	\$74.26	Over Assessment
Shaw, James Edwin	\$2.33	Tag Surrender

- b. Contract: FY 21/22 Audit Contract - The Town is required to have an annual audit performed. Current Auditor Gregory T. Redman provides a proposed fee of \$12, 500 to audit the fiscal year ending June 30, 2021.

Business Non-Consent

Text Amendment/Town Code Chapter 74 Traffic Schedules - VI. Speed limits

Dwayne Taylor, Interim Police Chief reviewed that consideration had been requested to review and change the speed limit from 25 mph to 20 mph for the Park Place Subdivision.

In response to inquiries from the board, Interim Chief Taylor clarified the following:

- The intersections in Park Place and the intersection that connects to Shipwrights point did not have stop signs. The intersections of Whistling Heron Way/Little Egret and Whistling Heron Way/Knightheads Drive could be 3-way stops.
- There was not a set speed limit for all neighborhoods.

On a motion by Commissioner Conaway, seconded by Commissioner Philpott the reduction of speed limit from 25 mph to 20 mph for the Park Place Subdivision and the

installation of 3-way stops at Whistling Heron Way/Little Egret and Whistling Heron Way/Knightheads Drive was approved unanimously. The change would be provided in the next agenda under consent to amend the Town Code.

Front Street Speed Limit Discussion

At the March 28, 2022 regular meeting of the Board a change in the speed limit from 20 mph to 5 mph on Front Street and the portion of Church Street between Front Street and Water Street was approved. Mayor Davis shared that since that approval he discovered that going that speed was not possible and a change the speed to 10 miles per hour was requested to be considered. Interim Police Chief Taylor shared that he felt 10 mph was adequate.

On a motion by Commissioner Conaway, seconded by Commissioner Pugliese, a increase in the speed limit from 5 mph to 10 mph on Front Street and the portion of Church Street between Front Street and Water Street was approved unanimously. The change would be provided in the next agenda under consent to amend the Town Code.

Ordinance Amendment #1 - Grant Project Ordinance Coronavirus State and Local Fiscal Recovery Funds

Sonia Johnson Finance Director reviewed that the Town was to receive \$980,000 originally, however, additional funds were awarded when some jurisdictions relinquished their allocations. The first disbursement of \$532,862.13 was received in July of 2021. The second disbursement of \$532,862.13 was to be received in July 2022. Because the Grant Project Ordinance reflected the original amount of \$980,000, an amendment of \$85,724.25 was needed.

On a motion by Commissioner Turner, seconded by Commissioner Philpott, Ordinance Amendment #1 - Grant Project Ordinance Coronavirus State and Local Fiscal Recovery Funds was approved unanimously.

Ordinance Amendment #1 - Bicentennial Park Boardwalk Extension with Public Day Docks Project

Mrs. Johnson reviewed that the Grant Project Ordinance for the Bicentennial Park Boardwalk Extension with Public Day Docks was approved on June 13, 2022. An invoice for surveying was received and in review of the CAMA Application Narrative/Budget, such expenditures were to be included as the Local In-Kind services. The application narrative indicates that fees for such services were to be taken from the designated funds for implementation of the Waterfront Plan. Therefore, it was requested that \$7000 be moved from Waterfront Plan Reserves to the Grant Project Ordinance Bicentennial Park Boardwalk Extension with Public Day Docks.

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, Ordinance Amendment #1 - Bicentennial Park Boardwalk Extension with Public Day Docks Project was approved unanimously.

Budget Ordinance Amendment #2022-12

Mrs. Johnson reviewed that the budget ordinance needed to be amended for multiple departments as follows:

1. Legal Department – Requesting an additional \$5,000 to cover litigation costs through the remainder of FY 21/22.
Source of Funds: Appropriated Fund Balance
2. Non-Departmental – Payment in lieu of sidewalks were made for new home construction where sidewalks do not exist along River Reach Drive, Russell Street, and Hammocks Beach Road. Requesting \$12,550 be transferred to the Capital Reserve Fund.
Source: Sidewalk Development Fee
3. Non-Departmental – Occupancy taxes exceeded the budgeted amount for FY 21/22 by \$23,875. The net proceeds of the tax collected to the authority shall be the gross proceeds of the tax less the 3% cost to the town of administering the tax.
Source of Funds: Taxes-Occupancy
4. Police – Payment of accrued vacation leave for recent staff resignations in the Police Department to include retirement benefits needs to be disbursed. Requesting \$36,000 be allocated for payouts.
Source of Funds-Appropriated Fund Balance
5. Finance – Payment for accrued vacation leave for a recent resignation in the Finance Department to include retirement benefits needs to be disbursed. Requesting \$4,200 be allocated for payout.
Source of Funds-Appropriated Fund Balance

On a motion by Commissioner Philpott, seconded by Commissioner Turner, Budget Ordinance Amendment #2022-12 was approved unanimously.

Financial Report - May 31, 2022

Mrs. Johnson reviewed details from the monthly financial report, attached herein with the PowerPoint presentation of the meeting.

Options for Public Attendance/viewing of Board Meetings

Alissa Fender, Town Clerk reviewed that a Board discussion related to alternative attendance/viewing options to board meetings for the public has been requested. Alternative options for consideration included live streaming by video or by audio.

Mrs. Fender shared that audio could be accomplished through the Zoom Platform, however, it should be noted that this platform does require a staff member to operate the

program to ensure that participants do not disrupt the meeting. Annual subscription for Zoom was \$150, plus comp time accrual of operator. There would be the requirement that all Board members provide identification prior to speaking/voting opportunities. Video Streaming would require equipment purchase, an increase in our internet service plan, and a staff member to operate the equipment which would result in comp time accrual.

The Town IT company, Computer Warriors, visited and evaluated the equipment onsite and determined that to get a video option up and running the cost would be roughly \$4,000 to \$5,000. The cost for an increase in internet services would run approximately \$7,008 more per year and the cost to Zoom to have video options would increase \$540 per year.

Board members felt that there were more options to research and direction was given to speak with area churches and obtain information on their setup and equipment. It was also recommended to check with Spectrum (cable company) to see if they provide any services that could be utilized.

EOC Committee Action Plan

Mayor Pro Tem Tursi shared that he felt a written action plan with clear goals and timetables is needed so that there can be no confusion as to what the Board desires for the committee to do. He provided a proposed action plan (attachment A) for review and further discussion.

Committee Members Commissioner Philpott and Commissioner Conaway shared that they both felt Mayor Pro Tem Tursi's timeline was adequate and sufficient. Directions were requested from the board regarding if the selection of a consultant was to be made by the committee or as a suggestion to the Board with the Board making the final decision. Board members provided the committee along with town staff approval to select the consultant.

Future Agenda Items

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:

- Additional sidewalk priorities would be added to the July 25th agenda
- Public Hearing for the 147 Front Street Dock Special Use Permit would be heard at the July 11th meeting
- Visitor Center interior concepts would be reviewed at the July 25th meeting
- Community Pool concept added to future agenda items

Public Comment

Junior Freeman of 103 Bridgeview Lane shared that placing money in a money market account can tie up funds and should research that when considering where the \$6 million for the EOC should be saved. He shared that directly hiring an architect instead of a consultant because they are really the front line of projects. He also stated that he felt the prior review provided by Wooten Company already handled what a consultant would do. He agreed that a timeline was important for the project.

Roy Herrick of 103 Cormorant suggested that the EOC Committee should make it a priority to decide if the building could be construction on exiting property already owned by the town.

Matthew Prane of 309 Baffle Court shared that he was excited to bring swimming to the Town and requested an opportunity to present at a future agenda. Parks & Rec Director Stanley was directed to meet with Mr. Prane and discuss details and to include the Parks & Rec Board chair.

Board Comments

Commissioner Pugliese shared that while he was downtown recently near the Town dock a boat had come in and there was another boat in their slip that had a reserve marker. He inquired about the process to correct such a situation.

Parks & Rec Director Stanley shared that there is a sign posted for boaters to call the afterhours dock for assistance. In some cases, such as that, they have a Police Officer come run the boats registration to find out who owned it and see about getting it moved. Other times the rental fee is refunded if the reservation cannot be reaccommodated.

Adjournment

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott, the meeting adjourned at 7:11 pm.

Proposed Emergency Management Committee Action Plan Goals

The goal of the Emergency Management Center Advisory Committee (committee) is to present a final report to the Swansboro Board of Commissioners (BOC) by August 2023 that examines various alternatives for providing emergency services to the town's residents whenever the board declares an emergency that requires opening its operations center. The report will describe the strengths and weaknesses of each approach, include estimated construction and maintenance costs for each alternative, land purchases that might be required and the costs of furnishings and new equipment.

The final report will also include a recommended alternative with preliminary cost estimates and a timetable for completion. The total cost of that alternative will not exceed the \$6 million provided by the state grant plus any accrued interest.

The committee can do what it thinks is needed to achieve this goal, including interviewing experts in the field of emergency management and visiting emergency centers in coastal communities of similar size.

Alternatives

The committee will include in its report any alternative it considers viable. At a minimum, these alternatives will be:

Dual-Use Building: A new municipal building that would serve as an operations center during times of declared emergencies. The building would be planned to include all the features needed for a temporary emergency center but would primarily serve another town function most of the time.

Public-safety Center: A new police and fire station to replace our current building that would be used as an emergency center when needed. The building would be sized to accommodate reasonable future growth.

Regional Center: A building that would serve as a regional emergency operations center for eastern Onslow County with building, operations and maintenance costs shared with the county. A similar arrangement will be explored with our neighboring communities in western Carteret County: Cape Carteret, Cedar Point and Peletier.

Consultants

The Board of Commissioners will contract a consultant to help the committee achieve its goals in the time frame outlined here. The task before the committee is complex, technical and time consuming. Our small, hard-working town staff doesn't have the time to manage such a large task. Neither do volunteer advisors.

The committee's first task, then, is prepare and distribute a Request for Proposals for a qualified consultant. The committee will present a list of such consultants along with its recommended choice to the board for hiring by August 2022.

Deliverables and Timetable

Monthly: Written reports to the BOC by the committee chair.

Quarterly (Aug. 2022, Nov. 2022, Feb. 2023, May 2022): Agenda item discussions by the BOC about the committee's progress. The committee chair will be present along with any other committee member who wishes to take part.

Joint meetings (Jan. 2023, June 2023): The BOC and the committee will meet jointly at least twice to discuss in depth the committee's work and findings. Other joint meetings will be held as needed at the discretion of the BOC or the committee.

Aug. 2023: Final report deliver to the BOC



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: Swansboro Historical Association Lease

Board Meeting Date: December 12, 2022

Prepared By: Paula Webb, Town Manager

Overview: The Swansboro Historical Association (SHA) proposes to continue utilizing approximately 4,052 square feet seven (7) days/week at 502 Church Street for the historic museum. The current lease arrangement is for \$1/year for one (1) year. The lease is set to expire on December 31, 2022.

Background/Recommendation:

The SHA has been leasing the facility since 2016. Communications in the file prior to 2016 indicate a recommendation by a former Manager that the Town lease the facility to SHA for a period of 3 years at \$1/year until the Heritage Museum could progress enough to at least fund utility expenses and develop a 5-year operational plan. Hurricane Florence damage and COVID-19 delayed SHA from progressing and developing that plan. The Town is also in receipt of the NPS Emergency Supplemental Historic Preservation Fund Grant. Project details for this grant are quite extensive and could possibly require vacating the facility to complete the work.

It would be my recommendation to continue leasing the facility for an additional year at \$1/year.

Background Attachment(s): 1. NCGS 160A-272
2. Resolution 2022-R11

Recommended Action: Motion to adopt Resolution 2022-R11 approving the lease as described above and upon other such terms as the Town Manager determines to be in the best interests of the Town and authorizes and directs the Town Manager to execute, at the appropriate time, any instruments necessary to consummate such lease agreement.

Action: _____

§ 160A-272. Lease or rental of property.

(a) Any property owned by a city may be leased or rented for such terms and upon such conditions as the council may determine, but not for longer than 10 years (except as otherwise provided in subsection (b1) of this section) and only if the council determines that the property will not be needed by the city for the term of the lease. In determining the term of a proposed lease, periods that may be added to the original term by options to renew or extend shall be included.

(a1) Property may be rented or leased only pursuant to a resolution of the council authorizing the execution of the lease or rental agreement adopted at a regular council meeting upon 30 days' public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the council's intent to authorize the lease or rental at its next regular meeting.

(b) No public notice as required by subsection (a1) of this section need be given for resolutions authorizing leases or rentals for terms of one year or less, and the council may delegate to the city manager or some other city administrative officer authority to lease or rent city property for terms of one year or less.

(b1) Leases for terms of more than 10 years shall be treated as a sale of property and may be executed by following any of the procedures authorized for sale of real property.

(c) Notwithstanding subsection (b1) of this section, the council may approve a lease without treating that lease as a sale of property for any of the following reasons:

(1) For the siting and operation of a renewable energy facility, as that term is defined in G.S. 62-133.8(a)(7), for a term up to 25 years.

(2) For the siting and operation of a tower, as that term is defined in G.S. 146-29.2(a)(7), for communication purposes for a term up to 25 years.

(3) For the operation and use of components of a wired or wireless network, for a term up to 25 years; provided, however, that the lease is entered into with a private broadband provider or a cooperative in connection with a grant agreement pursuant to G.S. 143B-1373 and is for a discrete and specific project located in an unserved area of an economically distressed county seeking to provide broadband service to homes, businesses, and community anchor points not currently served.

(d) Notwithstanding subsection (a) of this section, any lease by a city of any duration for components of a wired or wireless network shall be entered into on a competitively neutral and nondiscriminatory basis and made available to similarly situated providers on comparable terms and conditions and shall not be used to subsidize the provision of competitive service. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 26; 2009-149, ss. 2, 3; 2010-57, s. 2; 2010-63, s. 2(b); 2011-150, s. 1; 2014-120, s. 34; 2015-246, s. 9; 2018-5, s. 37.1(c).)

RESOLUTION (2022-R11)
AUTHORIZING THE TOWN TO ENTER INTO A LEASE FOR ONE YEAR PURSUANT
TO N.C. GEN. STAT. § 160A-272

Item IV - b.

WHEREAS, N.C. Gen. Stat. §160A-272 authorizes a town to enter leases of one year upon resolution of its council adopted at its regular meeting; and,

WHEREAS, the Board of Commissioners of the Town of Swansboro is convened in a regular meeting; and

WHEREAS, the Town of Swansboro owns the property located at 502 Church St, Swansboro, upon which is located the Town's previous Town Hall. Within that building (the "Premises"), there is an office area that the Town currently does not have use for; and

WHEREAS, the Swansboro Historical Association, Inc. ("Association") has requested that the Town of Swansboro lease a portion (Exhibit A, Area B) of the Premises for use as the Swansboro Area Heritage Center; and,

WHEREAS, the Town of Swansboro is amenable to leasing a portion (Exhibit A, Area B) of the Premises to the Association for twelve (12) months at a rental rate of \$1.00 per year and upon such other terms as the Town Manager determines to be in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of Swansboro approves the lease of a portion (Exhibit A, Area B) of the Premises to the Association for twelve (12) months a rental rate of \$1.00 per year and authorizes and directs the Town Manager to execute, at the appropriate time, any instruments necessary to consummate the lease agreement with the Association.

This the 12th day of December 2022.

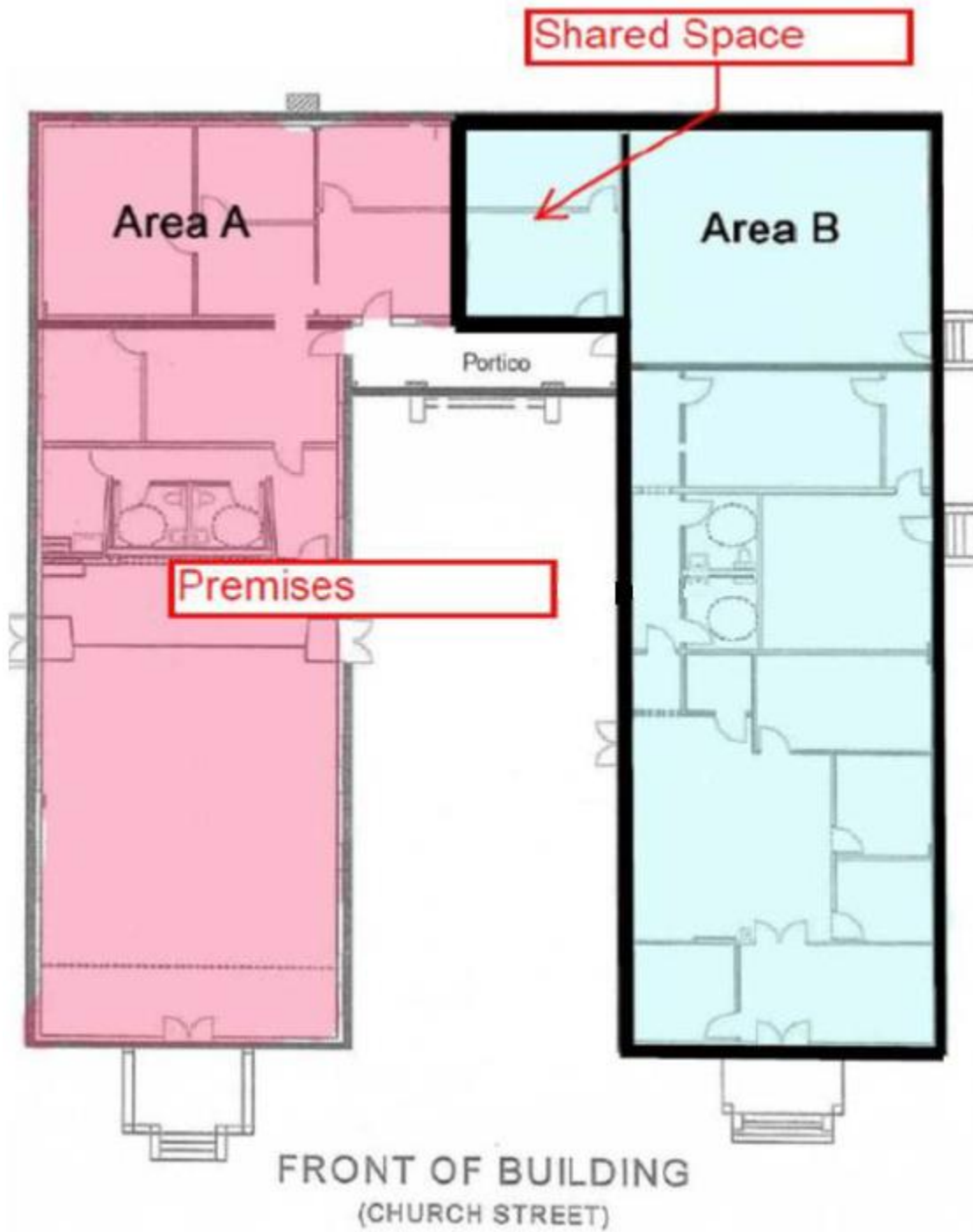
TOWN OF SWANSBORO

By:

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk





Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: Board Appointments

Board Meeting Date: December 12, 2022

Prepared By: Alissa Fender – Town Clerk

Overview: Due to expiration of terms or resignations, there are several board appointments needed. A list of expirations is provided below as well as those members who seek re-appointment and a Talent Bank Sheet with those citizens with an interest to serve.

Planning Board

Two (2) seats to consider for appointment/reappointment.

Christina Ramsey – Term expires 01/2023, has interest in re-appointment

Sherrie Hancock – Term expires 01/2023, has interest in re-appointment

There are 5 application(s) on file (*see Talent Bank Sheet*)

Historic Preservation Commission

Three (3) seats to consider for appointment/reappointment.

Kim Kingrey – Term expires 12/2022,

Christina Ramsey – Term expires 12/2022,

Elaine Justice – Term expires 12/2022 (ALT)

There are 2 application(s) on file (*see Talent Bank Sheet*)

Tourism Development Authority

Junior Freeman – Term expires 12/2022,

Jack Harnatkiewicz – Term expires 12/2022,

Randy Swanson – Term expires 12/2022,

There are 5 application(s) on file (*see Talent Bank Sheet*)

Parks Board

There is 1 ETJ vacancy, and there are no ETJ application(s) on file (*see Talent Bank Sheet*)

Background Attachment(s):

Action: _____

Recommended Action:

1. Consider appointments to the Planning Board
2. Consider appointments to the Historic Preservation Commission
3. Consider appointments to the TDA
4. Consider appointments to the Parks Board

§ 160A-362. Extraterritorial representation.

When a city elects to exercise extraterritorial zoning or subdivision-regulation powers under G.S. 160A-360, it shall in the ordinance creating or designating its planning board provide a means of proportional representation based on population for residents of the extraterritorial area to be regulated. Representation shall be provided by appointing at least one resident of the entire extraterritorial zoning and subdivision regulation area to the planning board and the board of adjustment that makes recommendations or grants relief in these matters. For purposes of this section, an additional member must be appointed to the planning board or board of adjustment to achieve proportional representation only when the population of the entire extraterritorial zoning and subdivision area constitutes a full fraction of the municipality's population divided by the total membership of the planning board or board of adjustment. Membership of joint municipal county planning agencies or boards of adjustment may be appointed as agreed by counties and municipalities. Any advisory board established prior to July 1, 1983, to provide the required extraterritorial representation shall constitute compliance with this section until the board is abolished by ordinance of the city. The representatives on the planning board and the board of adjustment shall be appointed by the board of county commissioners with jurisdiction over the area. When selecting a new representative to the planning board or to the board of adjustment as a result of an extension of the extraterritorial jurisdiction, the board of county commissioners shall hold a public hearing on the selection. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The board of county commissioners shall select appointees only from those who apply at or before the public hearing. The county shall make the appointments within 45 days following the public hearing. Once a city provides proportional representation, no power available to a city under G.S. 160A-360 shall be ineffective in its extraterritorial area solely because county appointments have not yet been made. If there is an insufficient number of qualified residents of the area to meet membership requirements, the board of county commissioners may appoint as many other residents of the county as necessary to make up the requisite number. When the extraterritorial area extends into two or more counties, each board of county commissioners concerned shall appoint representatives from its portion of the area, as specified in the ordinance. If a board of county commissioners fails to make these appointments within 90 days after receiving a resolution from the city council requesting that they be made, the city council may make them. If the ordinance so provides, the outside representatives may have equal rights, privileges, and duties with the other members of the board to which they are appointed, regardless of whether the matters at issue arise within the city or within the extraterritorial area; otherwise they shall function only with respect to matters within the extraterritorial area. (1959, c. 1204; 1961, c. 103; c. 548, ss. 1, 13/4; c. 1217; 1963, cc. 519, 889, 1076, 1105; 1965, c. 121; c. 348, s. 2; c. 450, s. 1; c. 864, ss. 3-6; 1967, cc. 15, 22, 149; c. 197, s. 2; cc. 246, 685; c. 1208, s. 3; 1969, cc. 11, 53; c. 1010, s. 5; c. 1099; 1971, c. 698, s. 1; 1983, c. 584, ss. 1-4; 1995 (Reg. Sess., 1996), c. 746, s. 2; 2005-418, s. 11.)

§ 128-1.1. Dual-office holding allowed.

(a) Any person who holds an appointive office, place of trust or profit in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution, to hold concurrently one other appointive office, place of trust or profit, or an elective office in either State or local government.

(b) Any person who holds an elective office in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution to hold concurrently one other appointive office, place of trust or profit, in either State or local government.

(c) Any person who holds an office or position in the federal postal system or is commissioned as a special officer or deputy special officer of the United States Bureau of Indian Affairs is hereby authorized to hold concurrently therewith one position in State or local government.

(c1) Where authorized by federal law, any State or local law enforcement agency may authorize its law enforcement officers to also perform the functions of an officer under 8 U.S.C. § 1357(g) if the agency has a Memorandum of Agreement or Memorandum of Understanding for that purpose with a federal agency. State and local law enforcement officers authorized under this provision are authorized to hold any office or position with the applicable federal agency required to perform the described functions.

(c2) Repealed by Session Laws 2015-201, s. 3(b), effective August 5, 2015.

(d) The term "elective office," as used herein, shall mean any office filled by election by the people when the election is conducted by a county board of elections under the supervision of the State Board of Elections. (1971, c. 697, s. 2; 1975, c. 174; 1987, c. 427, s. 10; 2006-259, s. 24(a); 2011-31, s. 13; 2014-100, s. 14.11(b); 2015-201, s. 3(b); 2015-241, s. 14.30(u); 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 6.1.)

**RESOLUTION 2011-R8
A RESOLUTION ESTABLISHING THE
SWANSBORO TOURISM DEVELOPMENT AUTHORITY**

Section 2. Membership. The Swansboro Tourism Development Authority shall consist of six members, who shall be appointed by the Swansboro Board of Commissioners for a term of two years each that shall coincide with the calendar year; provided, however, that the initial appointments to the authority shall be for a term of 28 months, beginning September 1, 2011. The members shall serve at the pleasure of the Board of Commissioners, and any vacancies on the authority shall be filled by appointment of the Board of Commissioners. At least half of the members of the authority shall be persons who are active in the promotion of travel and tourism in the town, and at least one third of the members shall be persons who are affiliated with businesses that collect the room occupancy tax. Individual members may, if qualified, serve in- and fulfill the representation requirements for more than one category, and the Town officials shall be regarded as being active in the promotion of travel and tourism, so long as the Town appropriates funds in support of these purposes. The remaining member or members of the authority shall be appointed at the sole discretion of the Board of Commissioners and may include members of the town governing board or town administration. The Board of Commissioners shall designate the member of the authority who shall serve – at its pleasure – as the chair of the authority and shall determine the compensation, if any, to be paid to the members of the authority.

Historic Preservation Commission	Item IV - b.
Planning Board	
Board of Adjustment	
Park Board	
Tourism Authority	
Other	

THUMBNAIL PROFILES TALENT BANK APPLICANTS

Lawrence Abalos Town Limits (910) 389-7500 (11/2022)

Interested in Tourism Authority

- Self Employed
- Bachelor's degree
- Current member of Parks & Rec board, Vice President of Swansboro Century Club, Coastal FCS Board member, Youth Sports Coach
- Would like to be a part of our community growth and development.

Clara Abalos Town Limits (910) 358-2110 (12/2022)

Interested in Planning Board

- Director of Learning & Development, Hunt Military Communities
- Bachelor's Degree in Government with concentration in Business
- Founding Board member of Hunt Heroes Foundations, Volunteer with Century Club and local schools, Knowledge of legal compliance at local, state and federal levels and understands the importance.
- Desires to provide a positive impact to the Swansboro community for current and future residents.

Joseph C. Brown Town Limits (810) 410-7543 (10/2022)

Interested in Planning Board Other

- Retired
- Associates Degree with 3 years towards bachelor's degree
- Vol Firefighter, Disaster relief volunteer with SUMC, 26 years as Army maintenance specialist, 14 years as senior logistician for DOD
- Interested in community involvement, wants to give back to the community, will be a committed contributor to the town for any or all boards appointed.

Dorothy Tisdale Town Limits (910) 358-1821 (9/2022)

Interested in Park Board

- Retired
- Master of Science Degree in Education
- Volunteer work with Church
- 20 year elementary school teacher, business partner, real estate buying & selling
- Enjoys the facilities offered at the area parks and would like to be active contributor to the parks future.

Richard Christian Smith Town Limits (252)725-5274 (12/2021)

Interested in Historic Preservation Planning Board Board of Adjustment Park Board Tourism Authority

- Attorney: The Law Office of R. Christian Smith, PLLC
- Juris Doctor
- Civic community involvement includes Boy Scouts of America, One Harbor Church, First Baptist Church
- Retired from NC Army National Guard, Extensive Storm response experience, previous Prosecutor, Probation Officer
- Loves residing in Swansboro and wants to see it experience responsible growth that allows additional residents to call Swansboro home, improve quality and variety of services while maintaining health and safety of community along with small town feel.

Elaine Justice Town Limits (910) 546-3303 (7/2022)

Interested in Planning Board Board of Adjustment Park Board Tourism Authority Other

- Retired from Onslow County Schools
- Master's degree in Curriculum & Supervision
- Current and/or prior involvement with Onslow County Schools, North River Methodist, Core Sound Museum member, Swansboro Historical Association, Swansboro United Methodist Church 2022 Bible School
- 15-year educator in Swansboro, lifelong Easter North Carolina resident ready to help Swansboro be a better place for all.

William H. Kelly Town Limits (910)382-2275 (3/2022)

Interested in Historic Preservation Planning Board

- Accident Investigator MCB Camp Lejeune
- Highschool graduate with some college
- Volunteer Firefighter with Piney Green VFD from 1997-2006
- Wants to get more involved with the community, has lived in the community for several years and wants to help Swansboro stay the Friendly City by the Sea.

Dusty Rhodes Town Limits (910)389-2034 (2/2022)

Interested in Board of Adjustment Tourism Authority

- Director of Safety of Security for Onslow County Schools
- Bachelor's degree
- Currently supporting Crimestoppers, Local Emergency Planning. Previously served on Parks Board.
- Important to be involved in the Community, Born and Raised here, would like to give back.

Kelley Brown (910)238-0191 (2/2022)

Interested in Tourism Authority

- Sales Manager Hampton Inn Suites
- Highschool graduate
- Currently supporting Chamber of Commerce on the BOD, Military Affairs Committee, TAC in Jacksonville, and FHBI Volunteer
- The hotel has a special position, as we are consistently involved in the community and in the growth of the town, as it advances all interest.

Matthew Prane Town Limits (910)750-2103 (12/2021)

Interested in Park Board

- USMC
- Bachelor's degree, Master of Science in Strategic Leadership
- 10 years of coaching and volunteer service within the Boy Scouts of America
- Interested in serving on the board to be more involved with the development of programs that meet the needs of the community. Most interested in development of an aquatic facility to meet the needs of everyone in the community to include future opportunities for afterschool programs, activities and person development

Note: Applications are kept on file for one year.

(Updated 3/22/2022) afender Z:\Town Clerk\Advisory Board Members



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: Zoning Map Amendment to Rezone Parcels Along Water Street from B2HDO to R6SF

Board Meeting Date: December 12, 2022

Prepared By: Andrea Correll, AICP – Planner

Overview: The Town of Swansboro Board of Commissioners has expressed interest to down zone the parcels along Water Street from Drudy Lane to Casper's Marina from B2HDO to R6SF.

Par ID 023672 (no active address)
Par ID 018369 (209 Water Street)
Par ID 011128 (211 Water Street)
Par ID 011057 (no active address)
Par ID 005673 (no active address)
Par ID 015594 (215 Water Street)
Par ID 020460 (217 Water Street)
Par ID 006144 (219 Water Street)
Par ID 010430 (no active address)

The purpose of the down zoning is to designate the properties referenced above as residential R6 Single Family Zoning. This zoning classification is the same as other residential properties in the Historic District, including those properties across Water Street.

NC General Statute 160D-601(d). Procedure for adopting, amending, or repealing regulations

(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor is it enforceable without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the local government. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways: (1) By decreasing the development density of the land to be less dense than was allowed under its previous usage. (2) By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 12, 50(a), 51(a), (b), (d).)

At their November 1, 2022 regular meeting, the Planning Board unanimously recommended approval of the zoning map amendment (rezoning) to the Board of Commissioners.

Action: _____

Background Attachment(s):

- 1 – Ordinance 2022-O15
- 2 – Location Map
- 3 – Future Land Use Plan excerpt
- 4 – Consistency Statement

Recommended Action: Consider motion to approve or deny Ordinance 2022-O15 for the rezoning of the parcels along Water Street from Drudy Lane to Casper's Marina from B2HDO to R6SF.

**ORDINANCE 2022-015
REZONING PROPERTIES
FROM B2HDO TO R6SF**

WHEREAS North Carolina General Statute 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-604 also states that when adopting or rejecting any zoning amendment, the governing board shall approve a statement describing whether its action is consistent with an adopted Comprehensive Plan and any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest; and

WHEREAS the Board of Commissioners finds that the proposed re-zoning of PARID Numbers: 023672, 018369, 011128, 011057, 005673, 015594, 020460, 006144, 010430 located off of Water Street, is reasonable and in the public interest because the conversion of approximately 1.99 acres from B2HDO (B2 Historic District Overlay) zoning designation to R6SF (Residential) zoning designation is consistent with the Comprehensive Plan, specifically the Land Use Plan, and the property is identified as appropriate for residential land use.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the official Zoning Map be amended to classify the properties known as PARID Numbers: 023672, 018369, 011128, 011057, 005673, 015594, 020460, 006144, 010430 from B2HDO (B2 Historic District Overlay) zoning designation to R6SF (Residential) zoning designation.

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, December 12, 2022.

Attest:

Alissa Fender, Town Clerk

John Davis, Mayor

Location Map for Rezoning

Item V - a.



Nov. 21, 2022

REZONING LOCATIONS SHOWN WITH A WHITE STAR

FUTURE LAND USE DESIGNATIONS

TRADITIONAL TOWN CENTER (TTC)

This designation is characterized by a mix of residential, commercial, and civic uses in the historic downtown central business district or TTC node. Redevelopment or new development should be compatible with and embody the desired heart of “Swansboro” character.

SUBURBAN TOWN CENTER (STC)

The highway commercial designation contains medium to high intensity uses on the NC 24 corridor. A mix of uses including multi-family with managed access is encouraged.

EMPLOYMENT / LIGHT INDUSTRIAL (ELI)

This designation includes office, light industrial or assembly, and flex-tenant spaces. Site layout should allow for truck circulation, buffers between dissimilar uses, and quality architecture adjacent to the highway.

GATEWAY CORRIDOR (GC)

State-owned NC 24 and the adjacent development make the first impression of the town. Signage, lighting, sidewalks, landscaping, architectural design along the roadway should reflect the unique features and values of Swansboro.

CONSERVATION PRIORITY AREA (CPA)

The CPA designation includes lands influenced by the natural environment containing features including but not limited to wetlands, woodland, shoreline, pocosins, open space, vistas that are worth conserving and that define Swansboro.

COASTAL TRADITIONAL NEIGHBORHOOD (CTN)

This is a walkable, compact, residential district laid out based on traditional neighborhood development patterns. It generally surrounds the TTC and contains single and two-family residential with small-scale multi-family and neighborhood commercial.

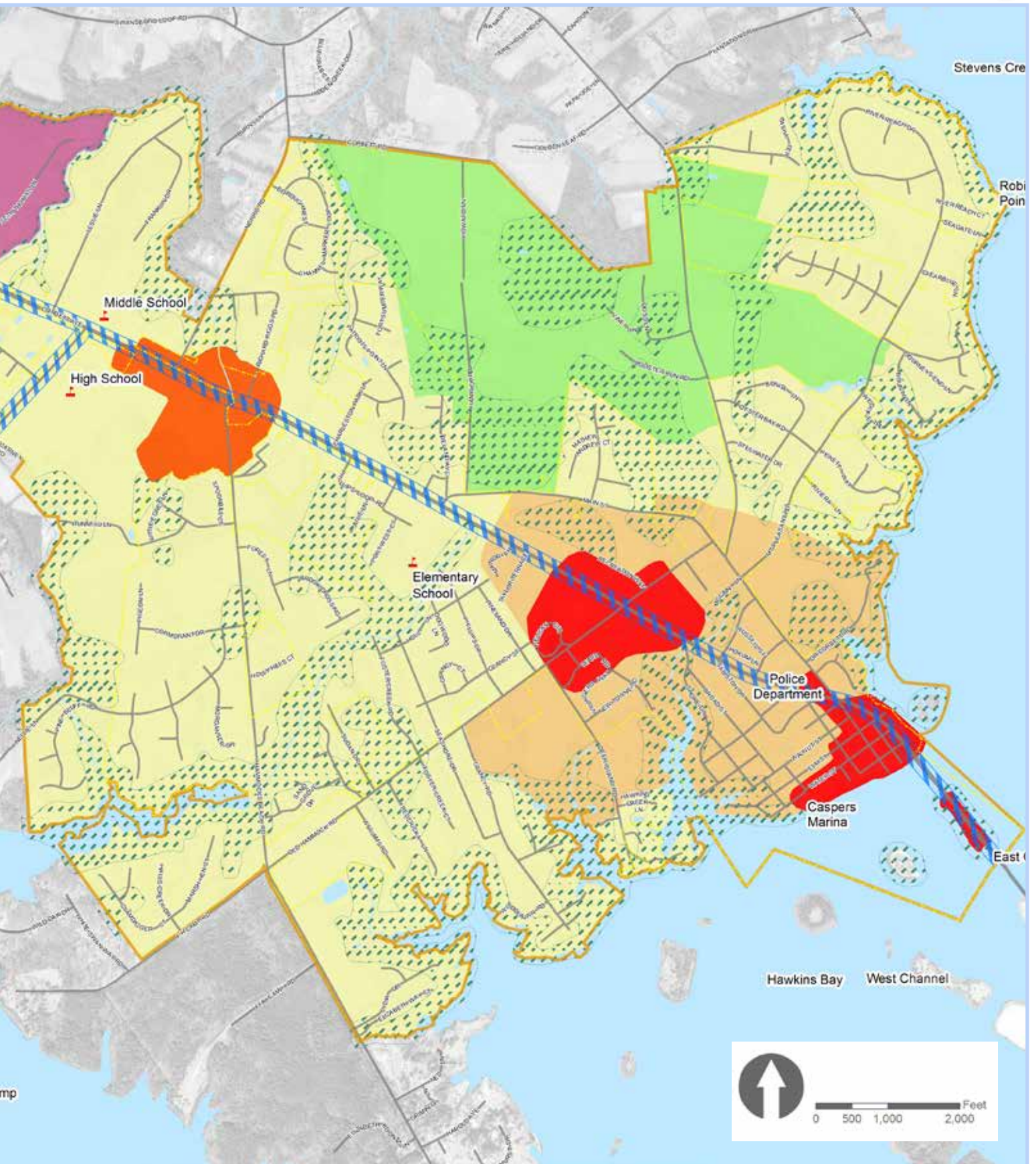
LOW DENSITY / SUBURBAN NEIGHBORHOOD (LDSN)

This designation characterizes the majority of new subdivision development. It is auto-oriented and should be connected to water and sewer infrastructure, and contain sidewalks and streets that connect to parks, educational, or religious uses.

RURAL / AGRICULTURAL (RA)

Agricultural land generally occurs outside the town limits but is within the town’s ETJ. Though there are working farms, rural residential and agritourism activities may occur here. Water and sewer infrastructure are typically not available.





TRADITIONAL TOWN CENTER (TTC)

When most people talk about Swansboro, they are talking about the historic district, businesses on Front Street and surrounding “old town” residential neighborhood. Homes and businesses stand side-by-side in a historical development pattern and complement, rather than detract from each other. Many older residential homes have been converted into businesses, with second-story residential, with a working marina directly adjacent. This is an area where uses are mixed both vertically and horizontally.

This active, vibrant part of the community is both a window into the past and provides character that defines the community. Using traditional pattern and character to influence future development of small-lot single family homes in other parts of Swansboro, fulfills a strong desire by many in the community to connect people to destinations, especially by non-motorized means.

CHARACTER

A traditional town center district translated to other areas of Swansboro should incorporate the following characteristics to the extent possible. These areas would be mixed use pedestrian-oriented districts with a mixture of small to mid-size retail, restaurants and multifamily residences intertwined with civic and institutional spaces. Upper story residential uses are encouraged. Pedestrians would be prioritized, and automobiles are accommodated.

ACCESS AND CIRCULATION

The rights-of-way within these districts may be narrower than typical local streets of Swansboro with two-way traffic and on-street parking but will not be as narrow as those in the historic downtown. These roads are meant to handle slow speed traffic and serve a similar purpose as a parking aisle so that people can park-and-walk to their destinations. Sidewalks flank the roads and buildings built up to or within a few feet of the right-of-way line.



Historic downtown Swansboro

SETBACKS

Typical of a downtown district, buildings are set close enough to interact with the street. Minimal setbacks accommodate a greater density and intensity of uses and promote social interaction.

MASSING AND BUILDING HEIGHTS

Buildings are “human-scaled,” meaning not more than three stories tall, but also should be a minimum of two stories to create a street presence.



Example of Traditional Town Center (TTC)

BLOCKS

Block length of no more than 400 feet further promote walkability and discourage automobile use for short trips. Crosswalks and mid-block pedestrian connections should be used throughout.

PARKING

Off-street parking requirements for nonresidential uses may be lessened due to the walkable district and availability of on-street, shared or lots for parking. Front-loaded parking is discouraged.

APPROPRIATE DENSITY / INTENSITY

This district should replicate the densities and intensities of those in downtown to provide an alternative to other housing and retail experiences in Swansboro. The norm should be:

- » Compact residential - Up to eight dwellings per acre single family or 12 for multi-family.
- » Ground floor retail is encouraged but lobbies and entrances would be allowed.
- » Development of this intensity should employ stormwater control measures with extensive Low Impact Design



Example of downtown development.



Example of downtown development.

**TOWN OF SWANSBORO PLANNING AND ZONING BOARD
STATEMENT OF CONSISTENCY**

On November 1, 2022, the Planning Board heard the requested map amendment and recommended unanimous approval of a map amendment to the Town of Swansboro official zoning map to down-zone parcels along Water Street from Drudy Lane to Casper's Marina from B2HDO to R6SF.

The Town's Planning Board finds that the proposed map amendment is consistent with the current Comprehensive Plan and other applicable plans and policies, including, but not limited to, the Waterfront Access and Development Plan, and considers the action taken to be reasonable and in the public interest because it provides the structure, for Town staff to proactively address issues related to impacts caused by new development in order to protect the health, safety, and welfare of the Town's residents.



Planning Board Chair



Town Planner



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **2023 Board of Commissioners Meeting Schedule**

Board Meeting Date: **December 12, 2022**

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

Overview: NCGS 160A-71 provides that the Board establish a time and place for its regular meetings. The 2023 meeting schedule has been prepared based on the Town’s Administrative Policy 1F which states that the Board of Commissioners meeting dates fall on the 2nd and 4th Monday of each month. Once adopted, the meeting schedule will be posted on the bulletin board outside the Administrative Offices at Town Hall and on the Town website.

Two meeting schedules are provided for review. Schedule A includes all 24 meeting dates based on the Town’s Administrative Policy 1F. Schedule B does not include the first meeting in October and the second meeting in December. They are removed from the calendar because they fall close to/or on a Town Event or Holiday.

Background Attachment(s): 1 – 2023 Meeting Schedule A
2 – 2023 Meeting Schedule B

Recommended Action: Adopt 2023 meeting schedule A or B

Action: _____



TOWN OF SWANSBORO Board of Commissioners 2023 Meeting Schedule

All meetings are held at 5:30 pm in the Community Room at Town Hall
601 W. Corbett Avenue – Swansboro, NC 28584

January 9, 2023
January 23, 2023

February 13, 2023
February 27, 2023

March 13, 2023
March 27, 2023

April 10, 2023
April 24, 2023

May 8, 2023
May 22, 2023

June 12, 2023
June 26, 2023

July 10, 2023
July 24, 2023

August 14, 2023
August 28, 2023

September 11, 2023
September 25, 2023

October 9, 2023
October 23, 2023

November 13, 2023
November 27, 2023

December 11, 2023
December 25, 2023



TOWN OF SWANSBORO Board of Commissioners 2023 Meeting Schedule

All meetings are held at 5:30 pm in the Community Room at Town Hall
601 W. Corbett Avenue – Swansboro, NC 28584

January 9, 2023
January 23, 2023

February 13, 2023
February 27, 2023

March 13, 2023
March 27, 2023

April 10, 2023
April 24, 2023

May 8, 2023
May 22, 2023

June 12, 2023
June 26, 2023

July 10, 2023
July 24, 2023

August 14, 2023
August 28, 2023

September 11, 2023
September 25, 2023

October 23, 2023

November 13, 2023
November 27, 2023

December 11, 2023



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: Text Amendment/Town Code Chapter 74 Traffic Schedules
Schedule V One-Way Streets

Board Meeting Date: December 12, 2022

Prepared By: Dwayne Taylor, Chief of Police

Overview: After conducting numerous surveys regarding traffic flow on Church Street, it is proposed that traffic on Church Street be designated as “One Way” starting at Front Street and continuing northwest to Walnut Street. The width of Church Street, along with on street parking, make it impossible for two vehicles to travel in opposite directions without causing congestion.

The proposed one way would have vehicles traveling southeast on Church Street turn northeast (left) onto Walnut Street and travel to Main Street to get to the Downtown District, helping to eliminate the congestion on Church Street.

The Town Code Chapter 74 Traffic Schedules Schedule V. One-Way Streets needs to be updated to reflect this change.

Background Attachment(s): Ordinance 2022-O16

Recommended Action: Motion to approve or deny Ordinance 2022-O16

Action: _____

**AN ORDINANCE AMENDING THE SWANSBORO TOWN CODE OF
ORDINANCES TO MODIFY ONE-WAY STREETS
(2022-O16)**

THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO ORDAINS:

Section 1. “That the following section of the Code of Ordinances, Town of Swansboro, North Carolina, be hereby amended to read as follows:

**§ Chapter 74 TRAFFIC SCHEDULES
SCHEDULE V. ONE-WAY STREETS.**

<i>Location</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Church Street from Front Street to Water Walnut Street	2022-O2; 2022-O16	1-10-22 12-12-22
Front Street from N.C. Highway 24 to Church Street	2022-O2	1-10-22
Main Street from Water Street to Front Street	2022-O2	1-10-22
Moore Street from Front Street to Elm Street	2022-O2	1-10-22
Sabiston Drive from N.C. Highway 24 to Church Street	–; 2022-O2	10-11-88; 1-10-22
Water Street along Ward Shore Park (westbound) from Spring Street to Elm Street	2019-O1	1-22-19

(OC, App. I § 123) (Am. Ord. 2022-O2, passed 1-10-22) Penalty, see § [70.99](#)

Section 2. This ordinance shall become effective upon adoption.

Adopted this 12th day of December, 2022.

John Davis, Mayor

Attest:

Alissa A. Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: Onslow County Interlocal Agreement-Fire Protection Services and Fire Protection Mutual Aid

Board Meeting Date: December 12, 2022

Prepared By: Paula Webb, Town Manager

Overview: During the FY 22/23 budget process we shared information that Onslow County would approve an allocation of \$0.03 of its ad valorem tax rate collected from properties within the Town's incorporated borders each fiscal year for fire protection services (only) beginning in FY 22/23 and thereafter for as long as the agreement remains in place. In addition to the Interlocal Agreement – Fire Protection Services, a new Fire Protection Mutual Aid Agreement is provided.

Onslow County Attorney Brett DeSelms worked with the City and Town Attorneys on the fire fund MOA's. After some drafts and feedback, the revised agreements are provided for review and execution.

Background Attachment(s): 1. Interlocal Agreement – Fire Protection Services
2. Fire Protection Mutual Aid

Recommended Action: Motion to approve MOA's as written and authorize the Mayor, Manager and Clerk to execute as provided.

Action: _____

Agreement – Fire Protection Mutual Aid

THIS AGREEMENT, made and entered into this _____ day of _____ 2022, by and between the below parties

WITNESSETH

WHEREAS, each of the parties hereto maintain equipment and personnel for the suppression of fires within its own jurisdiction and areas, either directly or by funding entities that handle such on behalf on its behalf; and

WHEREAS, the parties hereto desire to augment the fire protection available to their various establishments, districts, agencies, and municipalities in the event of a large fires or conflagrations; and

WHEREAS, the lands or districts of the parties hereto are adjacent or continuous so that mutual assistance in a fire emergency is deemed feasible; and

WHEREAS, it is the policy of the County, the municipalities, and fire departments within the County to enter into mutual aid agreements wherever practicable; and

WHEREAS, it is mutually deemed sound, desirable, and practicable, and beneficial for the parties to this Agreement to render assistance to one another in accordance with these terms:

THEREFORE BE IT AGREED THAT:

1. Upon request of the designated official of the Municipality, County, or Volunteer Fire Department the undersigned agencies will furnish such firefighting service to the extent deemed available at the time of the fire, for the purpose of assisting in combating fires occurring within the unincorporated areas of the County of Onslow.
2. The following officials are hereby designated to request firefighting assistance:
 - a. For the municipalities:
 - i. City or Town Managers
 - ii. Public Safety Directors or Deputy Directors
 - iii. Fire Chiefs or Deputy Chiefs
 - iv. Senior fire department officer on duty
 - b. For the County:
 - i. County Manager
 - ii. Director of Emergency Services or Deputy Director
 - iii. Fire Rescue Division Chief
 - iv. Fire Marshal or Assistant Fire Marshal
 - c. For the Volunteer Fire Department:
 - i. The Fire Chief, Deputy Chiefs, or Assistant Chiefs
 - ii. Senior fire department officer on duty

3. Request for assistance will be made through the appropriate E911 Center that provides service to the fire entities.
4. Upon arrival at the scene of the fire, assisting personnel and equipment shall report to either the Incident Command or Operations Officer or whoever is providing tactical control of the fire assets.
5. The rendering of assistance under the terms of this agreement shall not be mandatory, but the party receiving the request for assistance should inform the requesting service as soon as possible if, for any reason, assistance cannot be rendered.
6. Each party to this Agreement hereby expressly waives all claims against the other party or parties for compensation for any loss, damage personal injury, or death occurring to consequence of the performance of this Agreement.
7. This agreement will abolish all previous agreements that the County held with entities for the express purpose of mutual aid. However, this does not abolish any other individual agency's agreements for the purpose of automatic aid that agencies may enter into.

IN WITNESS WHERE OF, the parties hereto executed this agreement, on the day and year written above.

Agency	Title of Signature	Signature
Backs Swamp Volunteer Fire Department	_____	_____
Halfmoon Volunteer Fire Department	_____	_____
Haws Run Volunteer Fire Department	_____	_____
Town of Holly Ridge	_____	_____
Holly Ridge Fire & Rescue	_____	_____
Hubert Volunteer Fire Department	_____	_____
City of Jacksonville	_____	_____
Maysville Fire Department	_____	_____
Nine Mile Volunteer Fire Department	_____	_____
Town of North Topsail	_____	_____
Onslow County	_____	_____
Piney Green Volunteer Fire Department	_____	_____
Pumpkin Center Volunteer Fire Department	_____	_____
Rhodestown Volunteer Fire Department	_____	_____
Town of Richlands	_____	_____
Richlands Volunteer Fire Department	_____	_____
Southwest Volunteer Fire Department	_____	_____

Town of Surf City

Town of Swansboro

Turkey Creek Fire & Rescue

Verona Volunteer Fire Department

THIS AGREEMENT, made and entered into this _____ day of _____ 202__, by and between the Town of Swansboro (hereinafter referred to as "the Town") and Onslow County (hereinafter referred to as "the County").

WITNESSETH

WHEREAS, Part 1 of Article 20 of Chapter 160A of the North Carolina General Statutes authorizes interlocal cooperation among units of local government to execute any undertaking on behalf of one another; and

WHEREAS, in accordance with N.C. Gen. Stat. §153A-149(c)(11) the County is authorized to levy property taxes to provide fire protection services and fire prevention programs; and

WHEREAS, in accordance with N.C. Gen. Stat. §153A-233 the County is able to contract for fire-fighting or prevention services with other units of local governments; and

WHEREAS, the County and the Town currently have a mutual aid agreement in effect that provides, *inter alia*, that the Town come to the aid of the County when there is a need for assistance related to fire-fighting emergencies; and

WHEREAS, the Parties recognize that the Town has personnel and apparatus costs associated with the fulfillment of its duties under the mutual aid agreement, and that the Town will be able to better service the County in mutual aid situations if the County contributes to the costs associated with the Town's fire-fighting services; and

WHEREAS, the County has agreed to pay to the Town a portion of the ad valorem property taxes each fiscal year collected from properties within the Town's incorporated boundaries;

WHEREAS, the Parties wish to memorialize their agreements; and

NOW THEREFORE, for and in consideration of the mutual benefits, covenants, and promises contained herein, the parties hereto agree as follows:

1. The County is allocating \$0.03 of its ad valorem tax rate for fire protection services. In exchange for the services that the Town is agreeing to provide herein, the County has agreed to pay the \$0.03 it collects from properties within the Town's incorporated borders to the Town for each fiscal year this Agreement remains in effect. The following formula will be used to determine the amount that the County will pay to the Town each fiscal year:

$$(.03 \div X) \times Y = Z$$

X shall be the Ad Valorem Tax Rate adopted by the County for the fiscal year at issue.

Y shall be the amount of ad valorem taxes collected¹ by the County from property located within the Town's incorporated boundaries between July 1st and June 30th for the fiscal year at issue.

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Z shall be the amount payable to the Town

2. The amount payable to the Town in accordance with Paragraph 1 shall be paid to the Town no later than July 30th of the following fiscal year.

In the avoidance of all doubt, the following examples are provided for illustration purposes.

Example 1: The ad valorem tax rate for fiscal year 2022-2023 is \$0.655. Assuming the ad valorem taxes collected by the County from real property within the Town's borders in fiscal year 2022-2023 equals \$30,000,000.00, the amount payable to the Town for fiscal year 2022-2023 would be \$1,374,045.80, which would be payable on July 30, 2023. Said amount is reached using the following formula $(.03 \div .655) \times \$30,000,000.00 = \$1,374,045.80$

Example 2: Assuming the ad valorem tax rate for fiscal year 2023-2024 is \$0.62, and the ad valorem taxes collected by the County from real property within the Town's borders in fiscal year 2023-2024 equals \$25,000,000.00, the amount payable to the Town for fiscal year 2023-2024 would be \$1,209,677.42, which would be payable on July 30, 2024. Said amount is reached using the following formula $(.03 \div .62) \times \$25,000,000.00 = \$1,209,677.42$

3. The Town will use any money paid by the County to the Town in accordance with this Agreement for fire-fighting purposes only, to include costs associated with personnel, equipment, facilities, and apparatus.
4. The Town will continue to provide fire service related mutual aid to the County in accordance with the mutual aid agreement currently in effect, and will continue to renew such mutual aid agreements for as long as this Agreement remains in effect.
5. The Town shall obtain a criminal history record check of any person who applies for a paid or volunteer position providing fire-fighting or prevention services. The criminal history record check shall be conducted and evaluated as provided in G.S. 143B-943. See G.S. 153A-233.

The terms of this Agreement may only be modified by a written mutual agreement signed by the parties and attached hereto, and may be terminated at any time by either party by providing written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate originals, as of the day and year first above written.

¹ "ad valorem property taxes collected" shall mean the net amount of dollars collected and retained by the County. Interest, write offs, administration overpayments, customer overpayments, refunds, etc. shall be deducted from the gross amount collected to determine the net amount of dollars collected and retained by the County.

ONslow COUNTY

By: _____ (seal)
_____, Chairperson
Onslow County Board of Commissioners

Attest: _____ (seal)
_____, Clerk to the Board

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

County Finance Officer

TOWN OF SWANSBORO

By: _____ (seal)
_____, Mayor

Attest: _____ (seal)
_____, Town Clerk



Board of Commissioners Meeting

Agenda Item Submittal

Item To Be Considered: Future Agenda Topics

Board Meeting Date: December 12, 2022

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.

December 26, 2022 Meeting Canceled

January 2022

- * Text Amendment/Demo by Neglect
- * ARP Funding Update
- * Financial Report
- * Department Report

Future Agenda Items

- * American Rescue Plan Funding Recommendations (updates)
- * Further LUP Review/Amendments
 - o Comprehensive Transportation Plan Revisions
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Sub-committee designations for Strategic Plan Implementation (*Eco Dev Committee est. Oct 2020*)
- * Building Standards
- * Table of Permitted Uses Amendments (*after: consider re-empowering BOA for Special Use Permit Review*)
- * Joint Meeting with Historic Preservation Commission
- * Board Meeting Alternatives for Public viewing (*undergoing further research*)
- * Church Street Dock Safety Policy
- * Emerald Coast Queens Creek Road Rezoning request (*on hold at the request of the applicant*)
- * Swimming Pool/Consideration for Establishing a Pool Committee (*on hold for P&R Master Plan*)
- * Social District Consideration
- * Samuel Swann Bland Community Service Award policy revisions (*ongoing*)
- * Downtown Parking
- * Special Use Permit/Wawa convenience store/gas station
- * Becker Morgan Contract

PROJECTS REPORT

Town Projects/Initiatives Update

November/December 2022

Submitted By: Paula Webb, Town Manager

This report is an on-going list of Town projects/Initiatives. New information received since the previous report is provided in **green**. Items will be removed after noting their completion.

- **Swansboro Causeway Living Shoreline Project:**

NCDOT and NC Coastal Federation have partnered on a National Fish and Wildlife Foundation Grant to install a proposed living shoreline at strategic locations on NC Hwy 24 that are exposed to the White Oak River.

The following information is from their project narrative:

Project Site 2: Swansboro Yacht Club

“Project Site 2 is located northeast of the Swansboro Yacht Club, a local community dining establishment, located within Onslow County, at the border of Carteret County. Living shoreline work will be completed on an island that is located between the two N.C. 24 bridges. The causeway along the northeast side of N.C. 24 has experienced past erosion due to storm events (in 2005 and 2011), including erosional undercutting as a result of Hurricane Florence (2018). The abutment along the northwest end of the island and the abutment at the southeast end of the island are also showing continued signs of erosion...”

Design and permitting of the proposed project is in the works with an intended construction to take place over the winter of 2022/2023. Proposed project designs will be forthcoming when available.

Project Engineer, Brian Lipscomb confirmed a project construction timeline of late Fall/Winter of 2022/2023. A notice to proceed has been issued for a traffic impact analysis for the project. RK&K has completed the traffic counts. In short, the report acknowledges am restrictions from 6-9am and afternoon restrictions from 3-6pm.

Design work should be completed in the next couple months and expect to have permits in hand the end of Spring. Advertise and award (LET) the project in the summer 2022. Actual construction availability will be in mid-September 2022, assuming no moratorium that delays into October or November to start. Construction will continue through the Fall 2022, into Winter 2023, and conclude with the marsh planting between April 15, 2023 – May 15, 2023.

All permits were received on July 22nd and the Division was able to advertise the project on July 27th for an August 18th LET. Three 3 bids were received, with the low bidder being TA Loving Company in the amount of \$1,697,687.00 (0.1% (\$2,128.20) below the final

Town of Swansboro, NC Manager's Report

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estimate). The contract was awarded to TA Loving Co, and they have presented the bonds and certificate of insurance to the Division.

NCDOT hosted its first monthly construction meeting this morning on this project. Roughly 20 attended to include the contractor TA Loving, NCDOT, NC Coastal Federation, Coastal Community College, and Town Staff. Hereafter, monthly meetings will be held on the fourth Thursday of the month. TA Loving is scheduled to begin mobilizing on October 10th.

Received word on 10/7/22 that the project start date would be delayed due to permit requirement discussion that resulted from the construction meeting on 9/26/22. NCDOT held an Environmental Pre-con onsite 10/7 and the agencies are now in agreement with our method of construction. However, a formal modification to the permit may be required. This could take 30 days +/- Mobilization now expected mid to late November.

Received word November 16th that the project start date is now the week of November 28th. During initial construction of this project, the center turn lane will be removed and the west bound traffic will be shifted over to accommodate the rock sill construction. In addition, monthly construction meetings will be held at Town Hall on the fourth Thursday of each month.

- **Public Safety Building Restoration/Relocation Planning Project/ Swansboro Alternate Emergency Operations Center (Swansboro United Methodist Church-SUMC)**

Details from previous reports have been removed as I believe it's the Board's desire to further investigate options for the Emergency Operations Center (EOC) based on conversation from the September 27, 2021 meeting. Specifically, whether a regional facility or partnership with other neighboring jurisdictions that may have a structure that would provide a higher level of protection was possible. It has also been noted that conversation could be had with other local facilities in Swansboro that have buildings with a higher level of protection for space utilization.

The Town has an agreement in place with the SUMC should it be needed on preparatory measures. Public Safety staff and former Manager Seaberg visited the location at SUMC to verify the areas for town use, if needed, and to ensure communications would be available. The structure provides the structural integrity needed but communications during a storm while in the interior rooms would be difficult. Deputy EOC Coordinator/ Chief Degnan shared with me that arrangements for an antenna through Verizon or ATT would be needed. Board members met on December 9 to tour the SUMC site.

More in depth discussion with Chief Degnan, Chief Jackson, and Sonia Johnson regarding Public Safety Building Restorations will be had in the near future.

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During the Board's Planning Retreat March 2, the Board agreed that the Manager would identify a committee and share that with the Board.

Ten people have been identified as the committee:

Chief Degnan	Chief Jackson	Paula Webb	Jennifer Ansell
Alex Wood, PE	Dusty Rhodes	Larry Philpott	Russ Davis
Alissa Fender	Laurent Meilleur, PLB Rep		

I hope to arrange our first meeting the last week of March.

Committee established 4/11 with the addition of Commissioner Conaway, Jr Freeman, and Roy Herrick. The Board of Commissioners held special joint meeting with the committee on 4/14 to give purpose and expectations.

The Committee has met twice with a unanimous consensus gained immediately to proceed with building our own EOC in town, to create a safe place for employees to stand up during emergency operations. Onslow County is no longer interested in a partnership to build a substation since they purchased and are operating the Freedom Way station. Committee members will be making site visits on May 25th and then proceeding to develop an RFP for architect/engineer.

Additional EOC Committee membership changes includes; removing Russ Davis and Alex Wood; adding Brenda Pugliese, Ed McHale and Jonathan McDaniels.

Board discussion on a written action plan and timeline recommended by Mayor Pro Tem Tursi to be held June 27. The committee will re-convene its meetings once that discussion has occurred.

BOC Action Plan distributed to Committee, site discussions, and draft RFQ provided/discussed July 13, 2022.

Consultant Requests for Qualifications sent out August 9, 2022 to six different firms and was located on the website. Five proposals were received on 9/9. The EOC Committee created an interview panel at its 9/14 meeting and determined an interview schedule, draft questions etc. Once the panel decides on three proposals, interviews will be scheduled.

The interview panel consisting of Larry Philpott, Paula Webb, Chief Degnan, Dusty Rhodes, Jonathan McDaniels, and Brenda Pugliese interviewed three firms on 10/18/2022. The Interview Team will share its recommendation with the full EOC Committee on 10/26/22 and then that recommendation will be forthcoming to the BOC 11/14/22.

The Board of Commissioners selected Becker Morgan as the consulting architectural firm at its November 14, 2022 meeting.

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- **NC DCM Resilient Coastal Communities Program (RCCP) Grant** – On March 17, 2021, the North Carolina Department of Environmental Quality's Division of Coastal Management award their first round of RCCP Grant funding. The Town of Swansboro was competitive enough to receive one of the grants. The intent of the grant is to funds efforts in four key phases in their Coastal Communities Resiliency Program:

1. Community Engagement and Risk & Vulnerability Assessment
2. Planning, Project Selection and Prioritization
3. Project Engineering and Design
4. Project Implementation

Through our efforts in the 2019 CAMA Land Use Plan update, Swansboro has effectively covered most of the parameters for phases 1 and 2. This grant will assist in finishing the remaining requirements under phases 1 & 2 so we may move forward with the final 2 phases. Applications for Phases 3 & 4 is expected to be due by the end of this calendar year.

Dewberry, Beth Smyre hosted the first RCCP Committee meeting November 17, 2021 at Town Hall. The committee identified several areas that better planning (resilience) was needed but narrowed the list to the top priorities being stormwater mapping and generator power for schools/nursing homes. The complete list included:

- Disaster Recovery (generators for nursing homes, and schools)
- Stormwater Management/Mapping
- Climate Change
- Hurricane Response/Evacuation
- King Tide Levels

A community engagement meeting was held on Wednesday, February 23, 2022 from 4-6pm at Town Hall. A community input survey is available from the Town website, at Town Hall and the Swansboro Branch Library through March 9, 2022. The Committee met again on Monday 3/21. Beth shared that 89-online surveys were received and 6 hard copies. Flooding was the number one concern. The committee revisited the original spreadsheet and still identified stormwater mapping as the top priority for the portfolio. Other items still identified but categorized with stormwater mapping were, Halls Creek and Hawkins Creek Restoration, development of a wetland restoration plan, and a public education campaign. Development of the portfolio readies the Town for phase 3 – applying for engineer funding, and phase 4 implementation.

On April 4, NCDCEM released the Request for Applications for Phase 3 of the Resilient Coastal Communities Program - applications are due June 3.

Our consultant Beth Smyre shares that NCDCEM clarified that the focus of the Phase 3 program is on projects with a natural or nature-based component; this can include projects such as green infrastructure improvements, wetland or stream restoration, or living shorelines. Infrastructure mapping, such as Project #1 of our project portfolio, would not be

Town of Swansboro, NC Manager's Report

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eligible for funding under Phase 3. Therefore, she recommended that we focus your Phase 3 application on either the Halls Creek or Hawkins Creek stream restoration efforts. As Mayor Pro Tem Tursi graciously explained to her, a stream restoration project would be far more complicated scientifically and more expensive. It is doubtful, with all the other projects we have in the works on top of budget preparation, staff would have time to put together a viable application. I did share with her that we do have the Water Street Project (with engineered drawings in hand). She reviewed the plans and is checking with NCDCM to see if this project would qualify.

Beth Smyrna/Dewberry is scheduled to provide an update to the Board May 23, 2022 for Phase 2. We had originally hoped that stormwater mapping would qualify for the next phase, but we are told it does not. Phase 3 includes engineering/design – application deadline early June. Planner Jennifer Ansell and Public Works Director Tank Bates participated in a teleconference this week to seek other opportunities for stormwater mapping. The Town does have engineered plans for the Water Street Rehabilitation and could submit this project for Phase 4 funding. It is noted that the Water Street Rehabilitation project was estimated to cost \$215,000 in 2018. Phase 4 anticipated average funding level: \$45,000 per project, so contribution on the Town's part would be required.

RCCP Project Portfolio		
Project No.	Title	NNBS?
1	Stormwater Mapping	
2	Halls Creek Stream Restoration	Yes
3	Hawkins Creek Stream Restoration	Yes
4	Water Street Rehabilitation	Yes
5	Townwide Wetland Restoration Plan	Yes
6	Public Engagement and Education Campaign	
7	Resize NC 24 Culvert	

6 Swansboro Board of Commissioners Meeting May 23, 2022 Dewberry

As directed during the May 23 regular meeting, and with assistance from Withers and Ravenell, Staff was able to meet the June 3 Phase 3 application deadline for Engineering/Design. If awarded, we could receive up to \$45,000 to design/engineer bio retention areas along Broad Street prior to entering Water Street.

RCCP Phase 3 - \$45,000 was awarded to the Town on July 13, 2022 for the design/engineering of the bioretention swells along Broad Street that will assist in the rehabilitation for Water Street.

Town of Swansboro, NC Manager's Report

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- **August 2020 - NC State Historic Preservation Office Florence and Michael ESHPF Hurricane Disaster Relief Grant – Emmerton School:** The Town submitted an Emergency Supplemental Historic Preservation Fund (ESHPF) Hurricane Disaster Relief application for Emmerton School (AKA Old Town Hall) located at 502 Church Street for remaining Hurricane Florence damage repairs and resiliency measures for future events. The grant request is in the amount of **\$424,000** and is established as a 100% reimbursable grant.

We will use the funds for the following projects:

1. Tuck Pointing of the interior and exterior bricks to help stop the water penetration that occurs. This would also include the application of a sealant to the exterior brick.
2. Repair the extensive damage of the crumbling brick work above the south front door and other interior walls.
3. Historic Ceiling repair and repainting – Even though there is a new roof on the facility, some moisture did seep in sometime after the temporary fixes were installed.
4. The installation of a Centralized Dehumidification System
5. Window and Door repairs/replacing/storm proofing – there are a total of 81 windows and doors that are included in this request.
6. Electrical wiring repairs
7. Soffit repairs from Hurricane Florence damages
8. Sealing the crawl space
9. Attic Insulation

We were notified on January 14, 2021 that our application for Emmerton School was awarded for 100% funding (\$424,000). Please note that grant activities may not take place until the Grant Contract has been signed. We expect to receive the proposed grant contract in November 2021 and hope to have a quick turnaround on it. Once executed, we can move forward on the 9 action items listed above. **The listed deadline for completion for this project is September 30, 2023**, but are hoping, due to granting agency delays, that extensions may be available if needed.

On 12/1/21, received notification that NCDCCR is drafting a subgrant agreement. The National Park Service has given clearance to begin the project. A budget amendment accepting the \$424K was approved on January 10, 2022. The final agreement has now been executed. The project startup meeting has occurred, and the Manager and Planner will begin working with NCDCCR to identify contractors qualified for the work.

Staff is preparing a draft RFP, which will then have to be reviewed by the Historic Preservation office before being sent out.

A Request for Qualifications for the Emmerton School Project was approved by the state and submitted on Wednesday afternoon. The deadline for submittals is July 22, 2022.

Town of Swansboro, NC Manager's Report

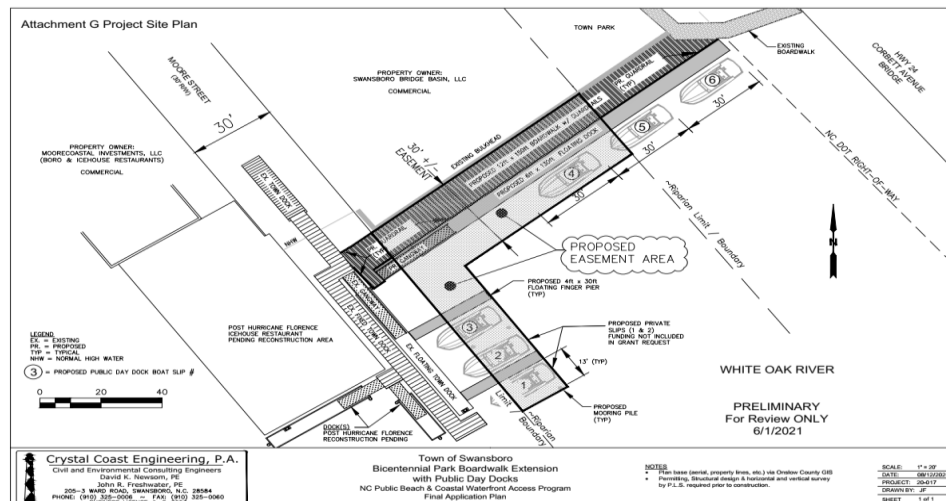
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Four RFQ's were received for construction and are under review by the state. Staff reviewed and provided its comments to the state ad a joint interview will be held once the state is ready.

State Historic representatives and staff will hold interviews with three architectural firms on September 27th.

Following interviews, David Gall Architectural Firm out of Winston Salem was selected. Mr. Gall has already made a couple site visits and is already working on remediation plans.

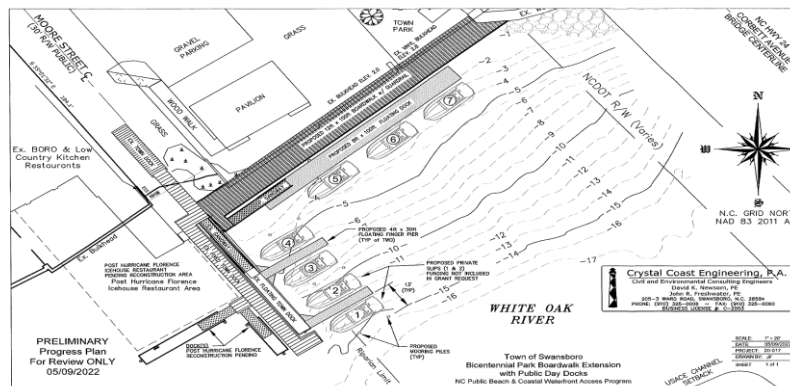
- **2020 NC Public Beach and Coastal Waterfront Access Grant Project** – The Town received notification on November 3, 2020 that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project has been approved and granted the full amount requested of \$142,350. The Total project cost is \$158,350 with the grant. \$7,000 of the required \$16,000 town match will be non-cash/in-kind. The project will include the following:
 1. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
 2. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.
 3. There will be four boat slips to accommodate day visitors in small boats



Town of Swansboro, NC Manager's Report

The Lease and Dock Rental Agreements have been executed with Randy Swanson. Kathy Vinson and Crystal Coast Engineering have been re-engaged to continue work on the project.

The lease and boat slip agreements have been signed. Kathy Vinson and John Freshwater were re-engaged on the project. A redesign of the dock (below) was necessary to remove the kayak launch which once existed when Pogies was located on site. Removal of the kayak launch offered space for one additional boat slip. John Freshwater and Kathy Vinson are preparing the final notes on the plan, which will be submitted to CAMA for permit modification. Once the permit modification is in hand, we can send out an RFP on construction.



Kathy Vinson continues to work with CAMA on our permit modification. NCDOT met on site this week to review and provide comments on the project as requested by CAMA.

As reported in the weekly brief June 24th, NCDOT met on site June 23 to review the project for comment and the reported deterioration to the bulkhead at the bridge identified by John Freshwater while conducting site/surveying work on our project. Instead of granting a waiver for our project they have asked to piggyback on our CAMA Permit for the work they will need to do to repair the bulkhead. In addition, that portion of bulkhead connecting to our walkway will have to be removed and replaced. The Town will be responsible to replace its portion that connects. We will attempt to coordinate this with NCDOT so its all done at one time. We are still working with NCDOT on the required encroachment agreement and Kathy Vinson has contacted CAMA who is agreeable to allow NCDOT piggybacking on our permit and submittal of the CAMA application with an email from NCDOT with assurances that they are working on the encroachment agreement. Due to the delays with this project, we have been advised to go ahead and ask for a grant extension now because the review time is so backed up.

Permit modification has been submitted to CAMA. A request for a grant extension has also been submitted.

Town of Swansboro, NC Manager's Report

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We received an acknowledgement letter from CAMA on Tuesday 9/20 for our permit modification request dated August 16, 2022. We have posted the property as required. CAMA indicated that the projected deadline for a decision is October 20, 2022, but an additional 75-day review is permitted by law. As a reminder, we have also sent a request for grant extension. **The grant extension (Amendment 1) was received October 12, 2022. The Permit Modification was received on November 30, 2022. We can now proceed with construction drawings, which will be prepared by Arendell Engineer, John Wade.**

- **Sidewalk Projects** - At their December 5, 2019 meeting, the NC Board of Transportation approved a funding request from NCDOT Division 3 in the amount of \$366,668.00. Per amended Swansboro Resolution 2019-R9, the Town contributed \$116,634 for a total project funding of \$483,302. The project was split into 3 phases/priorities to focus the limited funding to the portions that ranked higher in need.

Construction of this project commenced Thursday, April 8, 2021. NCDOT has estimated project funding shortfall in the amount of \$97,000 due to limitations caused by ditching and utilities. The cost breakdown for each phase/priority is as follows (estimates as of April 16, 2021).

- **Priority 1** - Sidewalk installation along NC-24 (Corbett Ave) from SR 1511 (Hammocks Beach Rd) to SR 1514 (Phillips Loop Rd); \$120,000 - **Completed**
- **Priority 2** - Old Hammocks Beach Rd from SR 1513 (Deer island Rd) to existing sidewalk near Fredericks Ln; \$335,000 – Expected to begin in late October 2021 – Groundwork/drainage underway. Project delayed due to two additional easements needed just beyond Deer Island Road. Water line depth too shallow in right-of-way. Easements requests were mailed out November 23, 2021.

Senate Bill 105 approved November 18, 2021 included the \$100K for sidewalk extensions in Swansboro. An email notifying the Town of the \$100,000 award was received from the Office of State Budget and Management to acknowledge the appropriations of \$100,000 for sidewalk improvements from the State Capital and Infrastructure Fund Directed Grant. Once received, these funds could be appropriated for the second section of Priority 2.

Some stormwater drain work has been completed by NCDOT on Priority 2 along Old Hammocks Road. This priority area includes two sections. The first section from Deer Island Road to Fredricka Lane and the second section from Fredricka Lane to the Catholic Church connection. All easements are secured for section one. One easement is still pending for this section (involves heirs and deed preparation on their part). NCDOT does have some additional drainage work to do along the flag lots at Buena Vista Del Mar (adjacent to Williams Road).

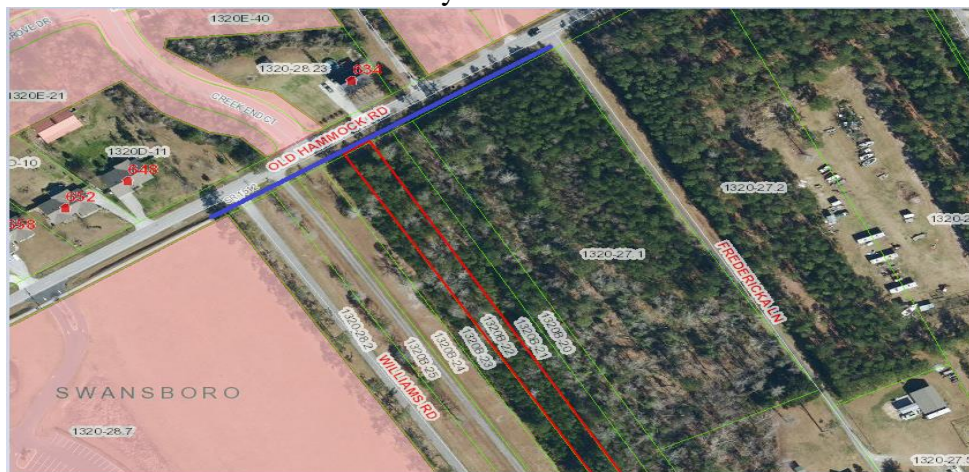
Town of Swansboro, NC Manager's Report

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Section 1 of Priority 2



Section 2 of Priority 2



One easement still pending, but communication suggests we should have the easement in the near future. NCDOT still has some site work to complete prior to constructing the sidewalks.

Priority 2 Completed. Ribbon Cutting held on June 24th.

- Priority 3 - SR 1511 (Hammocks Beach Rd) from Moore's BBQ sidewalk to Park Place Dr \$125,000 - *NOTE: we have not prepared survey/design on this section yet, so costs may vary more related to this priority*

Priority 3 will connect the sidewalks at Park Place to Moore BBQ. This area has not been surveyed/designed and could likely (according to notes in 2019) cost more than \$200,000 due to right-of-way and stream crossing, utility issues. Five easements required for this section.

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Priority 3



Staff is working with NCDOT on an updated maintenance agreement which also includes the breakdown of expenditures of the \$100K SCIF Funding (Town contribution). This information is necessary for reports we are required to provide back to the Office of State Budget and Management.

Although requests for Priority 3 easements were sent out back in October 2021, none were received. We will resubmit those requests. Second letters sent July 2022.

During the April 4 Budget Workshop, a future Priority 4 was identified. We are waiting to hear back from NCDOT on funding estimates. NCDOT indicated on 10/10/22 that the on call contractor hoped to start this sidewalk section the last part of October. **Priority 4 completed.**

According to NCDOT revised cost estimate, Priority 3 & 4 combined will be \$99,994.80. We are still waiting on the Sidewalk Agreement to be updated to include the last portion of Priority 2 and Priorities 3 & 4.

Priority 4



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Future Priority Areas – as previously noted (Manager's Weekly Brief) interest by a handicap resident has been shown to extend the sidewalk along the west side of Old Hammock Road where there is a void from the Cottages to the side entrance to the Piggly Wiggly. NCDOT shared on 10/10/22 that funds were available to complete that portion ending north of Pelican Circle to the Piggly Wiggly driveway. The Town will work to obtain that the required easement. I did inquire whether the partial south of Pelican Circle/adjacent Pineland Drive could be included but have not heard back from NCDOT to date. A second letter was sent to the Perry family on November 17 regarding needed easement for sidewalk extension. The first letter was sent on October 24th. A third letter was hand delivered to Mr. Perry on December 5 and Mr. Perry indicated he was having issues getting all owners to agree. Owners include members of the Perry family, heirs to Irene Pinkston.

Future priority areas were discussed with the BOC July 25, 2022, but no decisions made until more development made on Priority 3. The easement for Priority 4 was secured the last week of July and shared with NCDOT so that this section could be moved forward ahead of Priority 3. Thus far, no easements have been secured for Priority 3.

On September 26, the Board identified the following Priority Areas:

Priority 5

Pineland Drive parcel south of Pelican Circle to connect to the existing sidewalk and extension of the sidewalk north from the Cottages to Piggly Wiggly side entrance street (*see above notes*)

NCDOT shared on 11/17/22 "we have reached out to the Environmental Unit to determine if we could extend the existing crossline to extend the sidewalk, or if permitting would be required. We have not yet estimated this work, since we are uncertain what may be involved. If we are able to pursue this section, then we will need an easement from the property owner (but do not reach out to them until we have determined that we can move forward), and we would want to remove the short section of sidewalk that turns out towards Old Hammocks Rd. This is not acceptable practice as it is leading to a roadway where there is not a Stop condition, nor is there a permitted mid-block crossing."

Priority 6

Main Street Extension from the Recreation Center to Old Hammock to Highway 24 – awaiting cost estimate from NCDOT

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Priority 7

Gaps without sidewalks on Highway 24 from Old Hammock Road to downtown – awaiting cost estimate from NCDOT

Priority 8

South side of Highway 24 from Walmart to Queens Creek – awaiting cost estimate from NCDOT

- **Traffic Light Synchronization Project** - Town Staff has been working with Nisarg Shah of NCDOT to get a better synchronization of the stoplights on NC Hwy 24/W. Corbett Avenue. He made some adjustments on Wednesday, February 3, 2021 but I image it may take a couple of adjustments to correct the issues.

NCDOT reports that the synchronizations seem to be working properly. The timing on the Queens Creek Road intersection may be adjusted to allow more time on the side road entries. What they did discover was that motorists are not adhering to the 35-mph speed limit. Most were still traveling 40-45mph. Unless the Town is interested in reverting the speed limit back to 45 mph, better enforcement of the 35-mph speed limit is recommended.

- **Swansboro ADA Plan** – Assessments of Town facilities have been completed. We anticipate a Public Hearing early in 2021 in hopes to officially adopt this plan once complete. Stewart has had some turnover in staff and asked that I submit notes from our last meeting. A final draft was received 1/18/2022 –additional changes to be made yet, mainly name of coordinator to Alissa Fender and implementation to Paula Webb. Final editing has been forwarded onto Stewart.
- **Visitor's Center Improvement Update** – Andrew Wilson of Crystal Coast Engineering has prepared a draft building layout for the Visitor's Center based on several suggestions he received. You may recall that the Town had reached out to John Wood, Restoration Specialist with the NC State Historic Preservation Office to determine if the structure had retained its contributing historic status when moved to its present location, which would have allowed an exemption under the Flood Damage Prevention Ordinance. On January 6, 2022 Mr. Wood provided that due to the structure being moved from its original location, handicap ramp addition, and elevation; the structure was no longer a contributing historic structure. It should be noted that the elevation was required because the structure was in the flood zone, and the handicap ramp had to be added for ADA compliance. What this ultimately means is that we will have to follow a phased plan for improvements because the building is valued at \$57,000. If the renovation cost exceeds 50% of that value, a Substantial Improvement, the entire structure must be brought into compliance with the current ordinance and Building Code requirements. A second phase could not be started until one year after the final inspection on phase one.

Another alternative would be to raise the building to the current flood elevation (approximately 5 more feet) to bring it into compliance with the current regulations, including breakaway wall construction for the foundation due to the Coastal A flood zone designation. This would require HPC approval. This item will be added to the Planning Retreat for discussion/guidance. As a

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reminder the Town was awarded \$20,000 through the Onslow County TDA and must be used by June 30 or requested again in the next grant cycle.

Staff met with John Wood on Tuesday, March 1. As reported at the March 2 Planning Retreat, John Wood indicated that if we moved the side entrance steps back to the front of the building as they originally were when the building sat further down Water Street and clearly identify those as new construction using certain materials and raised flower beds to camouflage, the buildings historic status could be returned. Planner Ansell has sought engineered drawings and elevation certificate. Additional reviews by the Historic Preservation Commission and Flood Appeals Board will still be required. Once the contributing status is re-instated, the building would qualify for an exemption under the definition of Substantial Improvement and allow the Town to apply for a variance from the Flood Damage Prevention Ordinance requirements through the Flood Appeals Board.

Tidewater has been engaged to provide the elevation certification and existing conditions survey. Larion Engineering has been engaged to provide engineered re-design to remove the side entry and re-instate the entry to the front of the building and flood analysis. All will aid in the return of the contributing status to the building which will in turn relieve the Town from the flood requirement to raise the structure. The design will be scheduled for review by the Historic Preservation Commission for the demolition of the steps/deck and construction of the new steps as soon as the plans are received from Larion thereafter, a variance will be sought from the Flood Appeals Board from the elevation requirement. Public Works will demolish the side entry however, based on workload we will most likely utilize a contractor to install the front entry.

On May 17, the HPC reviewed the side entrance demo and re-location of the front entrance as recommended by Restoration Specialist John Wood. HPC member Kim Kingrey volunteered to search for photos from years back to see if the hand railings were wooden or if any were ever present. Once final minor work approval is granted, the work performed and contributing status re-instated, we would then qualify for an exemption under the definition of Substantial Improvement which would allow the Town to apply for a variance from the Flood Damage Prevention Ordinance requirements through the Flood Appeals Board.

As previously reported (Manager's Brief June 16), demo of the stairs at the Visitors Center is complete. Visitors are still able to use the handicap ramp access at the rear to gain access to the restrooms. The railing has also been re-constructed by Public Works on the front porch. Once the wood dries out, it will be painted white.

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At the BOC's request, a progress update was given July 25th, 2022.

What's Been Done To Date

- Working to re-establish Historic Contributing Status
- Awarded FY 21/22 Onslow County TDA Funding \$20,000 – paid for side steps demo identified as reason historic contributing status rescinded, required engineering of front steps re-construction due to flood zone location, some interior fixtures purchased for future renovations
- RFP awarded to Rufus Murray for side steps demo May 2022 - *completed*

What's Remaining to do on the Exterior

- RFP to reconstruct front entry steps due August 1, 2022 (breakaway design)

Once the front entry steps are constructed, the final V-Zone Certificate can be prepared. The next step is to obtain the variance from the Flood Appeals Board and obtain letter from the State Historic Preservation Office that the Contributing Status has been re-instated.

Interior Renovations - The estimated costs provided by former Public Works Director in 2021 was \$60,870. Of that amount, he indicated that the Public Works Crew could perform about \$15,000 of that work (walls, sheetrock, painting, flooring). Swansboro TDA has agreed to fund a portion of the interior renovations. Once we have settled on an interior design, we will be able to determine whether any water/sewer improvements will be needed, or whether just a certified engineered letter will be required that the current infrastructure can handle the improvements.

Eight vendors were notified of the RFP to re-construct the stairs at the Visitors Center and it was posted on the website. RFP's were due by August 1 and only one was received (Rufus Murray) for \$23,300. We plan to proceed utilizing the allocated ARP funding so we can keep this project moving forward.

Rufus Murray was awarded the contract to re-construct the exterior stairs etc. On hold until after the Mullet Festival so we don't have a construction site during the festival. A pre-construction

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meeting was held on Monday, October 17 and the contractor plans to get started immediately. The Visitor's Center will remain open during the exterior construction.

As reported in the Manager's Weekly Brief on December 1- exterior renovations are complete. We will prepare a letter to National Parks System to have contributing status re-considered.

- **LSAII/Stormwater Mapping Grant** – Following adoption of a support resolution on September 12, 2022 the Town entered into contract with Withers Ravenel (\$5000), who will prepare the grant application for Local Assistance for Stormwater Infrastructure Investments through the NC Division of Water Infrastructure in hopes of receiving up to \$400,000 to assist with stormwater mapping in the Town. The application deadline is September 30, 2022, with grant awards to be announced in February 2023.