

**Town of Swansboro
Board of Commissioners
January 28, 2025, Regular Meeting Minutes**

In attendance: Mayor Pro Tem William Justice, Commissioner Jeffrey Conaway, Commissioner Pat Turner, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf. The board had one vacancy.

Call to Order/Opening Prayer/Pledge

The meeting was called to order at 6:00 pm. Mayor Pro Tem Justice led the Pledge of Allegiance.

Public Comment

Laurent Meilleur of 220 River Reach Drive shared his support in favor of selecting applicant Ralph Kohlmann for the vacant mayor seat.

Adoption of Agenda

On a motion by Commissioner Turner, seconded by Commissioner Conaway, with unanimous approval the agenda was amended to include review of the incident that occurred at The Landings on Swansboro Loop Road on January 24, 2025.

Appointments/Recognitions/Presentations

Appointment to Vacant Mayor Seat

Per the Town Code § 3.3 (C) In the event a vacancy occurs in the office of mayor or commissioner, the board shall by majority vote appoint some qualified person to fill the same for the remainder of the unexpired term. Applications were received from the following individuals.

- Commissioner Brown
- Mayor Pro Tem Justice
- Ralph Kohlmann

On a motion by Commissioner Conaway, seconded by Commissioner Eckendorf, Mayor Pro Tem Justice was nominated to the vacant seat of mayor effective February 11, 2025. The motion passed 4:0, with Mayor Pro Tem Justice recusing himself from voting.

On a motion by Commissioner Turner, seconded by Commissioner Brown, Commissioner Conaway was nominated to serve as Mayor Pro Tem effective February 11, 2025. The motion passed unanimously.

Business Non-Consent

The Landings Incident on January 24, 2025

Manager Barlow and Fire Chief Randall reviewed that a facility evacuation took place during a snowstorm due to an electrical panel failure that compromised the main power system. Emergency responders, including the fire department and surrounding city

personnel, coordinated efforts to safely relocate residents in freezing temperatures, ultimately deciding to evacuate at 1:46 a.m. for life safety reasons. The state fire marshal and Department of Human Services became involved, requiring certification that repairs were completed properly. Additional electrical issues were discovered and resolved, and after inspection and approval, plans were made for residents to return. The board commended emergency responders for their professionalism and dedication during the three-day response.

Fire Department – 4th Quarter and 2024 Performance Review

Fire Chief Randall reviewed that the Fire Department, through the Center for Public Safety Excellence, successfully completed the Community Risk Assessment and Standard Recovery Program, becoming the third agency internationally to receive certification. In 2024, total call volume increased by 25.1%, with notable improvements in response times, particularly in rural areas, reducing delays by nearly two minutes. The department has established new benchmarks using a 90th percentile data model and continues refining dispatch coordination to enhance efficiency. Fire response efforts resulted in significant property savings, with over \$2.1 million in estimated losses prevented. Ongoing performance tracking and procedural adjustments were in place to ensure continued improvements in emergency response and service delivery.

In response to inquiries from the board Chief Randall provided the following information.

- Communication with central dispatch was improving, with scheduled training for dispatchers to better understand fire operations and terminology. Efforts were being made to strengthen relationships and improve coordination between fire and dispatch teams.
- The biggest hurdle was not necessarily dispatch time but optimizing turnout efficiency, including station design and response time improvements.
- Small adjustments, such as equipment placement within the station, are being evaluated to reduce the overall response time.
- Procedural changes implemented in the last quarter have already shown positive impacts on efficiency. The department continues to refine its processes to further improve emergency response.

Visitor Center Repair and Maintenance

Manager Barlow reviewed that the Visitors Center located at 203 Church Street had evidence of mold growing on the walls, ceiling, cabinets, HVAC and outlets fixtures. This condition was originally reported to the Board of Commissioners on September 10, 2024. This condition had necessitated the need to close the building until the problem can be remediated. During the September 10, 2024, board meeting, staff presented a proposal from Right Coast Solution in the amount of \$15,250 to remediate the mold issue. As a result of Board discussion, it was determined that additional expert assistance in

identifying the type of mold present and to seek another plan on remediation. Kelly Honeycutt, with Safe Harbor Home Inspections, was identified as an expert in remediating mold in residential structures. Public Works Director, Gerald "Tank" Bates sought a second proposal from a well-known contractor specializing in this type of work, Green Home Solutions. The estimated renovations and mold remediation was \$6,366, to remove mold, tear out and reinstall walls, and address structural concerns, which was significantly lower than the \$60,000 previously allocated for renovations, however it did not include the cost of a new HVAC system which would add to the overall cost.

Public Works Director Bates reviewed the necessary repairs to the Visitors Center, confirming that estimates covered mold remediation and material upgrades, including mold-resistant materials. The plan involved removing and treating the center wall, sealing exposed areas, replacing damaged drywall and flooring, and addressing HVAC issues. His team handled demolition, while external contractors would complete drywall and finishing work. Bates emphasized that the \$60,000 budget initially included potential renovations, such as additional restrooms and showers. He stressed the need to replace the HVAC system alongside repairs to prevent recurring mold and aimed to obtain updated quotes within a week.

On a motion by Commissioner Brown, seconded by Commissioner Turner, with unanimous approval, Town Manager Barlow was authorized to enter into a contract with Green Home Solutions to remediate the mold conditions at the Visitor Center and to proceed with the replacement of the HVAC system.

Monthly Financial Report as of December 31, 2024

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

In response to an inquiry from the board regarding what appeared to be a deficit in ad valorem tax revenue between fiscal years 2022-23 and 2023-24, noting it appeared to reflect a \$20 million loss in property value. Finance Director Johnson clarified that the figure in the agenda packet represented the budgeted amount, not the final collected total. She explained that the town typically collects more than 98% of projected revenue by the end of the fiscal year, but the exact amount was difficult to predict. She reassured the board that the actual revenue would likely increase rather than decrease, and future reports would specify that the figure was budgeted.

Future Agenda Topics

Future agenda items were shared for visibility and comments. 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:

- Future presentation from Parks & Rec to provide update on projects

- Discussion/decision on the future of Visitors Center
- Discussion/review on street and sidewalk acceptance

Public Comment

Margaret Poindexter of 626 W. Fire tower Road in Cape Carteret, representing the Golden Voices advocacy group, raised concerns about worsening conditions at The Landings. Her comments are herein attached as requested for the record by the Board. See attachment A.

Terri Herbert of 102 Oyster Bay Road commented on the possible future Flybridge development, noting that 1,201 people had signed a petition opposing it, which was started by Matt Littleton around Thanksgiving of the previous year. Approximately 64% of the signatures came from Swansboro, Stella, and Hubert zip codes. Mrs. Herbert referenced Chief Randall's report of a 30% increase in service calls in Swansboro, emphasizing concerns that the town was not prepared for such a development.

Lisa Consol addressed the board sharing that she had volunteered at the Landings for several months. With her 37 years of human resources experience she expressed concerns about the leadership at The Landings, citing cases where residents' health issues were not properly addressed. She mentioned two residents who transferred to other facilities where they received significantly better care. As a volunteer engaging with residents, she emphasized ongoing issues, lack of communication, and urged the board to take the matter seriously.

Am Hall of 312 Daisy Court, Emerald Isle, advocated for residents of The Landings, including her mother, expressing concern over memory care patients being relocated to an unsecured facility. While grateful for emergency responders, she stressed the need for transparency, as families had little communication and were unsure whether to bring essential items. She urged officials to provide clear guidance on the situation and electrical repairs.

Board members acknowledged the seriousness of the concerns at The Landings, with some expressing frustration over the lack of response from state representatives and proposing that the city formally endorse complaints to higher authorities. The attorney confirmed that while such an endorsement would be largely symbolic, it could still be an effective lobbying tool, and he recommended compiling a comprehensive list of issues to present formally.

Chief Randall shared that they were awaiting state inspection and approval before allowing reentry into The Landings. He had been in contact with representatives at the Landings to improve communication and shared that the state had provided feedback. A

final walkthrough was scheduled for 10 a.m. the next day and would be able to provide further feedback after that walkthrough.

Manager's Comments

In addition to this manager's report provided in the packet, Manager Barlow reviewed the following updates.

- Snow Event: Significant snowfall caused challenges, NCDOT managed road clearings, four minor traffic accidents reported, emergency management funds used for supplies.
- Budget Amendment: Emergency management expenses, including spreaders and supplies as well as no-wake buoys replacement would be forthcoming.
- Non-Profit Agency Funding Applications: Reminded that agencies seeking funding must submit applications by January 31st but recommended an extension to end of February.
- Storm Drain Replacement: The NCDOT project on Main Street was delayed due to snow/weather, new work period was set for January 27 – February 5.
- Sidewalk Priorities: After an updated priority list was identified, engineering/design RFQs sent out, awaiting proposals, \$600,000 in funding available.

Board Comments

Board members congratulated Mr. Justice and Mr. Conaway on their new positions on the board. Additionally, they acknowledged the challenges at The Landings, and encouraged residents to attend meetings, voice concerns, and provide guidance, emphasizing the importance of public engagement. Appreciation was expressed to staff for all their efforts during the recent snow/weather event.

Adjournment

On a motion by Commissioner Conaway, seconded by Commissioner Turner, the meeting was adjourned at 7:35 pm.

Good Evening, Commissioners, thank you for the opportunity to speak. My name is Margaret Poindexter, and I am here on behalf of my mother, Virginia Poindexter, who is a resident of The Landings of Swansboro, which is an assisted living and memory care facility owned and operated by Hickory-based ALG Senior, LLC.

I am also part of a group of over 50 family members who call ourselves "Golden Voices," and who organized after the firing of the then-Executive Director as a result of allegations of neglect, and we represent the interests of the residents of The Landings.

First I want to thank the members of the Swansboro Fire Department and other first responders who came to our family members' aide Friday night. I am grateful for your service, your skill, and your compassion and kindness shown to them.

Since my mother moved into the facility approximately two years ago, we have observed the quality of care significantly deteriorate. The firing of the then-Executive Director resulted in additional complaints, investigations, significant staff turnover, but little or no improvement. Indeed, conditions continue to worsen, and ALG is completely non-responsive to resident complaints. A letter sent by our group to the CEO of the company in September of 2024, and copied to the Governor, the Attorney General, the head of DHHS, and our NCGA representatives and senator, went unacknowledged.

While we are grateful that no one was injured in the fire and the damage was not worse, when viewed in the grand scheme of things, the fire that occurred Friday night should come as a surprise to no one.

The building has experienced a myriad of issues from the beginning: the air conditioning units fail to come on, the water in the showers runs scalding hot or ice cold (and with inadequate water pressure), the dishwasher is often broken, necessitating the use of styrofoam plates and plastic utensils, the ice maker is often broken, necessitating family members provide bags of ice, sewage backs up in the drains, the front door handle has been broken off since November, and until recently, the front door of the facility was propped open with a planter, and the poorly designed and shoddily-constructed facility appears to be falling apart around our residents.

It is important to say that staff on site works incredibly hard under difficult circumstances, and attempts to put the needs of our family members first. But they aren't appreciated or rewarded by the company. Instead, we are told that facility management is constantly being directed to cut staff and hours. Long-time staff has been denied increases. Staffing has been decimated. Last fall, our receptionist and driver were let go. While we have had a receptionist recently hired, that position has been limited to 35 hours, which is inadequate. Other staff have had hours cut. The full time activities director was let go months ago, and only recently replaced with a part-time employee.

We question the larger reasons for neglect of the facility and staffing cuts, given that residents have experienced exorbitant pricing increases two years in a row, and the facility is at almost

full capacity. We are concerned that ALG is bleeding the Landings to compensate for other facilities that are financial drains, like Onslow House, which has sat vacant since Hurricane Florence. We have to ask whether ALG Senior has the financial capacity to meet the representations and commitments it has made in order to receive the Certificate of Need for The Landings.

But perhaps the worst—residents and families receive virtually no professional, timely and regular communications whatsoever. There is little effort to communicate with residents and families, to keep us informed, much less respond to our concerns. Our repeated requests for something as simple as creation of an all-family email list have gone unanswered. As a result, in this emergency situation, the company has been unable or unwilling to communicate with all of us, beyond a few vague posts on their Facebook page, in order to explain what happened and necessary next steps. Today, after seeing a number of us complain on that Facebook page, they finally sent an email to a subset of family members. We question the voracity of the information provided.

That's why we turn to you for help—to answer our questions and perhaps help us get answers from ALG Senior. It is heartbreaking to witness a beloved family member being treated so badly. It's also infuriating when that complete disregard and disrespect comes at such a high price. We never could have imagined that such a facility could be allowed to operate in this manner, seemingly unchecked and unregulated. While we are grateful all of our family members escaped this fire unhurt, we believe this could have been so much worse.

Thank you for your time.