

**Town of Swansboro**  
**Board of Commissioners**  
**July 24, 2023, Regular Meeting Minutes**

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

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**Call to Order/Opening Prayer/Pledge**

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

**Public Comment**

Kim Kingrey of 212 Elm Street shared that she liked the ducks and thought they were cute, but over the past years' things have shifted and there are too many. In addition to having to deal with dead ducks, they fly more than they used to. She felt that something should be done because they are getting on porches and vehicles and homeowners are having to deal with the other nuisance of their feces.

**Adoption of Agenda and Consent Items**

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the agenda was approved unanimously.

**Public Hearing**

*Text Amendment to 152.179 Table of Permitted/Special Uses*

Projects/Planning Coordinator Brehmer reviewed that the Town received a request from Swansboro High School to allow the replacement of the existing band tower in the front yard of the High School. Since 2000, accessory structures have not been permitted in front yards. However, in 2020 Ordinance 2020-06 was passed to allow accessory structures in the front yard on lots two (2) acres or greater. The purpose of this amendment is to include Government/Educational (G/E) properties to be permitted as a use in that category.

The public hearing was opened at 5:36 pm then closed, no comments were offered.

On a motion by Commissioner Conaway, seconded by Commissioner Pugliese, Ordinance 2023-O9 and the Comprehensive Plan Consistency Statement was approved unanimously amending the Unified Development Ordinance to amend Section 152.179 to allow accessory structures in the front yard on lots two (2) acres or greater in the GE (Governmental/Educational Zoning) district.

**Business Non-Consent**

*Duck Population Control Measures*

Public Works Director Bates reviewed that he had been in contact with two organizations that could assist with population control measures. OWLS and Possumwood Acres.

Executive Director, Toni O'Neal with Possumwood Acres was in attendance to provide further information.

Ms. O'Neal shared that over the past several years her Muscovy duck intake has doubled each year from the Swansboro area. She shared that collection of eggs before they are sat upon by the ducks and having only 1 area for feeding, and education to residents are measures that can be taken to control the population. To address the overpopulation situation that existed she recommended having a rehoming/adoption campaign allowing interested parties to capture the ducks for relocations to their property. Mrs. O'Neal shared that in her opinion around 20 ducks was a sustainable population for our area.

In response to inquires from the board staff clarified the following details

- There were approximately 200-250 ducks downtown.
- The town ordinance is enforceable and included a fine of \$50.

After discussion, by consensus of the board, signs would be created to deter feeding, a centralized feed area would be explored, and Mrs. O'Neal would work with the Town Manager to help facilitate decreasing the duck population to around 20 ducks.

*Text Amendment/Town Code Chapter 34: Fire Department*

Fire Chief Randall shared that after carefully reviewing the ordinances relating to the organization of the Fire Department and fire prevention, most all ordinances were outdated on current methodologies, industry standards, approaches, or evolved operations. An amendment is recommended to realign, amend, and strengthen the adopted ordinances relating to the organization of the fire department.

On a motion by Commissioner Conaway seconded by Commissioner Philpott, Ordinance 2023-O10 amending Town Code Chapter 34: Fire Prevention was approved unanimously.

*Town Code Amendment to Chapter 50: Refuse, Solid Waste and Recycle, § 50.26 Curbside pickup*  
Public Works Director Bates reviewed that at the board's request, staff drafted an amendment to the Town Code § 50.26 Curbside pickup, to apply a location designation for curbside collection area and restriction on the amount of time trash and recycle containers can be curbside for collection.

The curbside area recommended was in front of the property and at least 3 feet from other objects such as mailboxes, vehicles, and utilities poles. The timeframe recommended for placement curbside was no earlier than 6 pm the night before collection and removal no later than 6 am the day following collection. Allowing residents to place containers curbside the night before and remove the day following collection, provided an adequate timeframe for all persons to accommodate placing and removing their containers based

on their schedules and to account for possibly delays or issues. This timeframe for containers to be curbside would be for a total of 36 hours.

Due to the daylight changes during the winter months, the hour of 5 pm the night before was recommended, and agreed upon by the board.

On a motion by Commissioner Philpott, seconded by Commissioner Turner Ordinance 2023-O11 amending § 50.26 Curbside pick up to restrict the amount of time trash and recycle containers can be curbside for collection was approved unanimously with the hour change from 6 pm to 5 pm the night before collection.

#### *Financial Report as of June 30, 2023*

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

#### *Future Agenda Topics*

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the Board to introduce items of interest and subsequent direction for placement on future agendas. There were no other items added for future review.

#### **Public Comment**

Citizens were offered an opportunity to address the Board regarding items not listed on the agenda. No comments were given.

#### **Board Comments**

Commissioner Philpott shared that a letter had been sent to state representatives requesting additional funding for the EOC and that loans were still under research.

#### **Closed Session**

On a motion by Commissioner Turner, seconded by Commissioner Philpott the board entered closed session at 6:36 pm pursuant to NCGS 143-318.11 (a) (5) regarding property acquisition.

Pursuant to a motion duly made in and seconded in closed session the board returned to open session.

#### **Adjournment**

On a motion by Commissioner Turner, seconded by Commissioner Pugliese, the meeting adjourned at 7:28 pm.