

**Town of Swansboro  
Board of Commissioners  
February 13, 2024, Regular Meeting Minutes**

In attendance: Mayor John Davis, Mayor Pro Tem William Justice, Commissioner Jeffrey Conaway, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf. Commissioner Larry Philpott had submitted his resignation on February 12, 2024, effective immediately, therefore the board had 1 vacancy.

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

The meeting was called to order at 6:00 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 Conaway, seconded by Commissioner Brown, the agenda with the amendment to move Resolution (2024-R5) in Support of JOED, SAEDC and Project Coffee to non-consent, add discussion of Charleston Park Subdivision, and the below consent item was adopted unanimously.

- Establish a Grant Project Ordinance for the Swansboro Stormwater Master Plan Project #SW-SW-ARP-0073 (Fund #36)

**Appointments/Recognitions/Presentations**

*Recognition of Swansboro High School JV Cheerleading Team*

Mayor Davis recognized the JV Cheer team by proclamation for their accomplishment of earning the championship in their division at North Carolina High School Athletic Association Cheerleading State Invitational in December 2023.

**Public Hearing**

*Zoning Map Amendment to Rezone four parcels from R-10SF to RA*

Planner Correll reviewed that members of the Corbett family wished to down zone their properties on Dr. Corbett Road and from R-10SF to RA (Agriculture) to continue the family farm which has been on the site since the 1930s. The purpose for the downzoning was to designate the +/- 11.96 acres as agricultural. This zoning classification was the same as properties to the west.

The public hearing was opened at 6:15 pm then closed, no comments were offered.

On a motion by Commissioner Conaway, seconded by Commissioner Brown, Ordinance 2024-O1 to rezone the four identified parcels from R-10SF to RA was unanimously approved.

*Text Amendment to the Town Unified Development Ordinance for Section 152.479 Certificate of Appropriateness List and Appendix III Landscape Standards*

Projects/Planning Coordinator Brehmer reviewed that the Swansboro Historic Preservation Commission had recommended an amendment to the Unified Development Ordinance Historic District Regulations Certificate of Appropriateness List and an addition to Appendix III Section 25 for Landscape Standards. The purpose of this amendment was to keep the landscape of our Historic District to historically accurate native trees and shrubs found in this area. All material was presented and provided by NC Sea Grant publications. This text amendment was recommended by the Planning Board on January 10, 2024.

The public hearing was opened at 6:18 pm then closed. No comments were offered.

On a motion by Commissioner Eckendorf, seconded by Mayor Pro Tem Justice, Ordinance 2024-O2 amending Section 152.479 Certificate of Appropriateness List subsection 43 and 49, along with an addition to Appendix III Section 25 Historic District Landscape was unanimously approved.

*Text Amendment to the Town Unified Development Ordinance to Section 152.47 Certificate of Appropriateness List related to the Color Pallet*

Projects/Planning Coordinator Brehmer reviewed that the Swansboro Historic Preservation Commission has also approved amendments to the historic district color palette and recommended an amendment to Section 152.479 subsection 58 stating staff would have the right to refer to the SHPC for input for any out of character color or a color combination choice to the Historic District. The Planning Board recommend this amendment to the Board of Commissioners at its December 5, 2023, meeting.

In response to inquiries from the board Project/Planning Coordinator Brehmer clarified the following.

- The determination of "Out of Character" would be made by staff based on the color pallet.
- Homes already painted with "Out of Character" colors were permitted to remain.
- The original color palette was created by the Historic Preservation Commission many years ago

The public hearing was opened at 6:23 pm then closed. No comments were offered.

On a motion by Commissioner Conaway, seconded by Mayor Pro Tem Justice, Ordinance 2024-O3 amending Section 152.479 Certificate of Appropriateness List subsection 58 was unanimously approved.

### **Business Non-Consent**

#### *Acquisition of Replacement Fire Apparatus*

Fire Chief Randall reviewed that on November 17, 2023, a Request for Proposals (RFP) was announced for replacement of Engine 17 – a 2001 Commercial Cab pump, and Truck 17 – a 2004 E-One Typhoon Aerial. The RFPs were posted on December 4, 2023, with a January 19th deadline. A small committee of department members, Career, Volunteer, and Part-Time, was tasked with identifying our district's characteristics and current challenges. After evaluating this, the functionality and needs of the apparatus were drafted to ensure the functionality was effective and would remain effective as our organization continued to develop. Three proposal bids were received for the Engine Company and five for aerial devices, and the committee found the most responsible bidder was Safe Industries, which provided the apparatus most fitting to the proposal and needs.

Chief Randall further shared that Safe Industries did not require any money down as long as a letter of intent was provided. This would provide the ability to seek alternative revenue sources, draw interest in the CIP funds, or continue to contribute to the fund until the day of delivery. The letter of intent, recommended for consideration and approval, would also prevent any effect of the manufacturer cost increases if signed by February 19th. Purchasing both simultaneously from the same apparatus dealer also offered initial cost savings, but those savings would be applied during the next steps of the process.

By consensus the board requested that further discussion on the matter be held at the February 19, 2024, special meeting.

#### *Easement Consideration*

Interim Manager Barlow reviewed that One Harbor Church was requesting one variable sidewalk easement and two six-foot sidewalk easements from the town for the purpose of connecting to the existing sidewalk and nature trail sidewalk at Municipal Park adjacent to their church.

Jonathan McDaniel with Tidewater and Associates shared that allowing the construction of these sidewalks will provide for movement and options for partnerships with parking options.

By consensus the board agreed for the manager to proceed with researching to ensure that the allowance of sidewalks would not jeopardize any grants provided or future funding, before moving forward with the options.

#### *Future Agenda Topics*

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

The following items were addressed:

- Recognition of State Champions from Swansboro High School Athletes for Swimming & High Jump
- 2nd Amendment/Weapon Allowance at Town Hall

#### *Resolution (2024-R5) in Support of JOED, SAEDC and Project Coffee*

Mayor Davis reviewed that Mr. Sutherland of JOED had made a presentation to the board at its special meeting on February 12, 2024, and shared some details regarding a light industrial park plan called "Project Coffee". JOED was in need of the Town's support to move further with the project.

On a motion by Commissioner Eckendorf, seconded by Mayor Pro Tem Justice, Resolution (2024-R5) in support of JOED, SAEDC and Project Coffee was unanimously approved.

#### *Charleston Park*

Mayor Davis reviewed that the Charleston Park Subdivision had streets and sidewalks in extreme disrepair because of the developer failing not to construct the streets appropriately, and the bond was allowed to expire. The Town had not accepted the streets due to their condition and in conformance with the Board of Commissioners Policy #15 that required that the facilities were properly designed, constructed, and maintained from the beginning. The subdivision was not able to hold the developer responsible as the company had dissolved. Mayor Davis shared that he felt that the Town should take the roads and the sidewalks somehow and possibly by way of special assessment that was fair.

The board allowed for public comment and the following individual spoke on the matter.

Junior Freeman shared that as a developer he understood the importance of bonds and by allowing that to expire the Town was mostly responsible.

Cynthia Lacorte of 220 Elm Street shared that residents of the neighborhood have paid their taxes, and something should be done.

Tom Pieratti a resident of Charleston Park shared that there were many issues to include safety especially when there are potholes 2 ½ feet deep. He also shared that the development needed street signs.

By consensus the board agreed for staff and legal counsel to research and provide options at a future meeting.

### **Public Comment**

Junior Freeman shared with the board that he had learned of the passing of Ben Licko who was a founding member of the Swansboro Rotary Club.

### **Closed Session**

On a motion by Commissioner Conaway, seconded by Mayor Pro Tem Justice, the board entered closed session at 7:11 pm pursuant to NCGS 143-318.11 (a) (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege.

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

### **Adjournment**

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, the meeting was adjourned at 8:40 pm.