

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

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

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

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

**Public Comment**

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

**Adoption of Agenda and Consent Items**

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

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

**Appointments/Recognitions/Presentations**

*Recognition of One Harbor Church*

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

*Introduction of Interim Manager - Jonathan Barlow*

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

*Introduction of Interim Attorney*

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

### *Fire Department Recognitions*

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

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

### *Board Appointments*

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

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

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

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

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

Ayes: Brown, Justice, Eckendorf, Conaway

No: Philpott

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

Ayes: Eckendorf, Brown, Justice

No: Conaway, Philpott

The following Historic Preservation Commission appointments were made:

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

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

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

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

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

Ayes: Philpott, Conaway

No: Brown, Eckendorf, Justice

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ayes: Justice, Eckendorf

No: Philpott, Conaway

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

The following Parks Board appointments were made:

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

Ayes: Philpott, Conaway

No: Brown, Eckendorf, Justice

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

Ayes: Eckendorf, Brown, Justice

No: Philpott, Conaway

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

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

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

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

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

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

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

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

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

### **Business Non-Consent**

#### *LASII Stormwater Master Plan Grant Update*

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

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

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

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

#### *Application for Assistance to Firefighters Grant (AFG)*

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

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

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

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

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

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

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



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

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

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

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

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

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

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

#### *Monthly Financial Report as of December 31, 2023*

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

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

#### *Future Agenda Topics*

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

The following items were addressed:

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

#### **Public Comment**

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

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

#### **Manager's Comments**

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

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

### **Board Comments**

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

### **Closed Session**

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

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

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

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

### **Adjournment**

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

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – 502 Main St./SR 1447



Swansboro – SR 1447/Harbor View Dr.

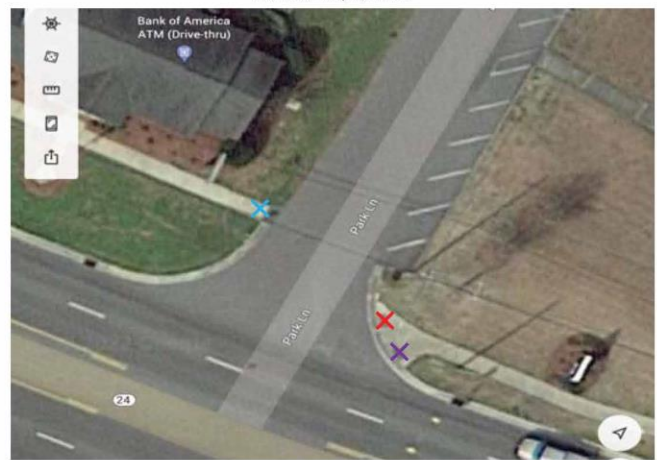


X = Remove and replace existing with Type 1 directional curb ramp.

1

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Hwy 24/Park Ln.



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

3

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – SR 1447/SR 1449



Swansboro – Hwy 24/First Baptist Church



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

2

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro Historic District:

Swansboro – Main St./First Citizens Bank



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

4



Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Main St./Elm St.



Swansboro – Main St./Water St.



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

5

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Elm St./First Citizens Bank



Swansboro – Elm St./Church St.



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

7

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Hwy 24/Water St.



Swansboro – Hwy 24/Elm St./Moore St.

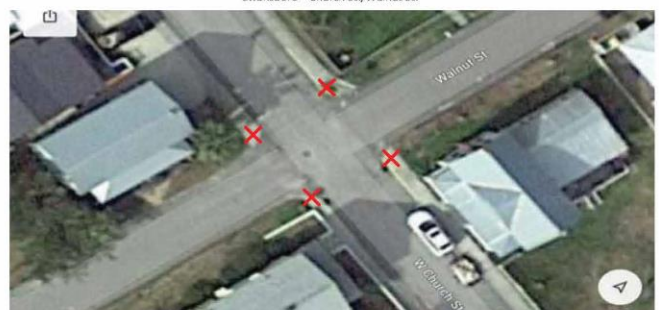


- X = Remove and replace existing with Type 1 directional curb ramp.
- Y = Remove and replace existing with Type 2 parallel curb ramp.
- Z = Remove and replace existing with 4" concrete sidewalk.
- P = Remove and replace existing with 2-way Type 2 parallel curb ramp.

6

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Church St./Walnut St.



Swansboro – Church St./Webb St.



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

8

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Church St./Sabiston St.



Swansboro – Church St./Water St.



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

9

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Quantities:

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

11

Proposed ADA Improvement Project  
Swansboro, Onslow County

Swansboro – Church St./Front St.



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

10