

Town of Swansboro
Board of Commissioners
January 14, 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

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

Adoption of Agenda and Consent Items

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, the agenda and the below consent items were adopted unanimously.

- Resolution Opposing Senate Bill 382
- FY25-26 Budget Schedule
- Budget Ordinance Amendment #2025-5

Appointments/Recognitions/Presentations

Board Appointments

Town Clerk Fender reviewed that due to expiration of terms or resignations, board appointments are needed for the Planning Board, Tourism Development Authority, and the Parks Board. At its December 10, 2024, regular meeting the board tabled appointments to this meeting to allow for more applications to be received. A call for applications was sent through the Towns Constant Contact and posted to Facebook. 3 additional applications were received.

The following appointments were made.

- Planning Board

On a motion by Commissioner Eckendorf, seconded by Commissioner Turner, and with unanimous approval, Jerry Seddon and Tim Vannoy were reappointed.

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, and with unanimous approval, Tom Pieratti was appointed.

- Tourism Development Authority

On a motion by Commissioner Brown, seconded by Commissioner Turner, Steven Overby was appointed. The motion carried 3:1 Ayes: Brown, Turner, Eckenforf. Noes: Conaway

On a motion by Commissioner Conaway, seconded by Commissioner Turner, with unanimous approval, Randy Swanson and Jack Harnatkiewicz were reappointed.

- Parks Board

On a motion by Commissioner Conaway, seconded by Commissioner Brown, with unanimous approval, Bets Love was appointed.

On a motion by Commissioner Eckendorf, seconded by Commissioner Brown, with unanimous approval, Ryan Swanson was appointed.

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, with unanimous approval, Jennifer Steele was reappointed.

East Carolina Council Appointment

Town Clerk Fender reviewed that annually, a representative was selected to serve as a local jurisdiction representative on the East Carolina Council (ECC) General Membership Board. At its December 10, 2024, regular meeting the board tabled this appointment to this meeting, and the materials presented to the Board in February of 2024 by David Bone – Executive Director of the Eastern Carolina Council were sent to the board for review.

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Conaway, Town Manager Jon Barlow was unanimously appointed as the ECC representative for the Town of Swansboro.

Public Hearing

Re-zoning Request – 1149 Hammocks Beach Road

Planner Brehmer reviewed that Shannon Weaver, PE, on behalf of property owners David and Linda Camp had submitted a rezoning request for 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business). The property is further identified as tax parcel ID 1319-66 and the total acreage requested for rezoning is +/-0.77 acres. Mrs. Weaver’s purchase was contingent on rezoning approval. She planned to convert the existing home into office space, which was not permitted under the current zoning. The CAMA Future Land Use Plan designated the area for residential use but allowed small-scale non-residential development near key locations. Given its proximity to Walmart,

the request aligned with the plan. The Planning Board recommended approval on December 3rd, recognizing its consistency with future land use guidelines.

The public hearing was opened at 6:15 pm.

David and Linda Camp, owners of the property, addressed the board and urged them to approve the rezoning request so that Mrs. Weaver could operate her business.

Shannon Weaver of 222 Marsh Hen Court, the applicant, introduced herself to the board and explained her rezoning request was to be able to operate a small structural engineering firm. She started her business in 2012, initially working from home before moving to a rented office in 2016 and now wanted a permanent location. The proposed property would require only minor interior modifications and would serve as her office for at least the next decade, with potential future use by her daughter. She emphasized that her business would not create noise or significant traffic and aligns with the town's land use plan. Mrs. Weaver also noted existing buffer zones and nearby rezoned properties, stating that her request was reasonable and consistent with the surrounding area.

The public hearing was closed at 6:26 pm.

On a motion by Commissioner Conaway, seconded by Commissioner Eckendorf, Ordinance 2025-O1 to rezone 1149 Hammocks Beach Road from RA (Rural/Agricultural) to B-1 (Business) was unanimously approved.

UDO Text Amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls

Planner Brehmer reviewed that the Historic Preservation Commission had recommended an amendment to Appendix III Historic District Design Standards, Section 14: Fences and Walls to make clarifications on fence guidelines.

In response to inquiries from the board, Planner Brehmer clarified the following:

- This Historic Preservation Commissioner voted unanimously for the amendment
- Spacing between the boards is not captured in the amendment because that regulation is specified by the State Building code

The public hearing was opened at 6:41 pm then closed, as no comments were offered.

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, Ordinance 2025-O2 amending Appendix III, Section 14: Fences and Walls was unanimously approved.

Business Non-Consent

Proposal to Establish a Fund Balance Policy

Finance Director Johnson reviewed that on October 22, 2024, staff presented a Fund Balance Policy which was tabled for approval until after the audit was received. The audit was presented at the December 10, 2024, meeting.

The policy was designed to protect against short-term revenue fluctuations, provide resources for emergencies, and establish sound fiscal management guidelines. Staff recommended setting a minimum fund balance threshold of 50% of annual expenditures to ensure financial resilience. As of June 30, 2024, the fund balance was 51%, with an unassigned fund balance at 48% of annual expenditures.

Board members debated the proposed 50% fund balance threshold, with some advocating for a lower range of 35-45%, citing comparisons to other municipalities and suggesting a property tax reduction in exchange. Others stressed the need for financial preparedness for emergencies and capital projects, highlighting concerns about borrowing credibility and the risks of a rapid decline from previous levels of 75%. A compromise at 48% was proposed, reflecting the current unassigned fund balance, with some open to future reductions while others insisted on maintaining 50% stability. A semi-annual review of the policy was suggested to assess its impact.

On a motion by Commissioner Turner, seconded by Commissioner Conaway, the Fund Balance Policy as written was approved. The motion carried 4:1. Ayes: Turner, Conaway, Justice, Brown. Noes: Eckendorf

NCLM 2025-2026 Advocacy Goal Statements

Manager Barlow reviewed that the NCLM had published its 2025-2026 Advocacy Goal Statements. Cities and Towns were asked to review and vote on the proposed goals so that cities and towns have a focused state and federal advocacy agenda in the 25-26 legislative biennium which begins in January at the NC General Assembly. Each municipality will cast a single vote by selecting 10 of the 16 proposed advocacy goals.

The goals chosen by the board were:

- Expand funding opportunities for disaster resiliency and recovery efforts.
- Establish long-term funding streams that adequately address water, sewer, stormwater, transportation and other infrastructure needs.
- Expand state transportation funding streams for construction and maintenance of municipal and state-owned secondary roads.
- Expand incentives and funding for local economic development.

- Create an orphan road program whereby the state improves those roads to N.C. Department of Transportation standards before municipalities assume maintenance responsibilities.
- Provide local revenue options beyond the property tax.
- Support technical assistance programs to assist municipalities with securing or maintaining grants or other necessary municipal resources.
- Address the needs of a changing municipal workforce through state assistance that supports employee retention, including training and recruitment.
- Update the annexation petition thresholds to make voluntary annexations easier to initiate.
- Preserve authority for extraterritorial jurisdiction to ensure that growth is well-planned and investments by homeowners and business owners are protected

Manager Barlow was chosen as the voting delegate and would cast the Town's vote by January 17, 2025.

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. No additional items were added.

Public Comment

Brad Phillips of 204 Walnut Street spoke in support of Jerry Seddon for the vacant mayor seat or if it occurs a vacant commissioner seat. He described him as a smart and hardworking leader.

Wayne Herbert of 102 Oyster Bay Road spoke against a proposed development in Swansboro, citing the town's 2019 Land Use Plan, environmental concerns, community opposition, and a petition with over 1,150 signatures, urging the Board of Commissioners to follow the planning board's recommendation of denying approval of the CAMA Land Use Plan Amendment and rezoning request.

Kim Kingrey of 212 Elm Street shared that she also supported Jerry Seddon for the vacant seat stressed the importance of choosing someone with experience for the position, comparing it to hiring the most qualified person.

Tim Simpson, of 609 West Shore Drive, expressed concerns about the missing no wake buoys in the White Oak River and the municipality's responsibility for their replacement. He emphasized their importance in preventing accidents and urged for their replacement and to ensure they remained in place.

Manager's Comments

Manager Barlow updated the board on two items:

- NCDOT's plan to replace a storm drainpipe along Main Street Extension, which will require a temporary road closure but will help alleviate long-standing drainage issues and allow for future paving.
- Requests for Qualifications (RFQs) for the Sidewalk Design Project, a \$500,000 initiative, was published with hopes of attracting engineering firms to assist with design and implementation.

Board Comments

Board members praised the work of town staff, including the police and fire departments, planning board, parks and recreation, and administrative teams, for their dedication and professionalism.

Commissioner Conaway shared for the benefit of the public that the board had unanimously adopted a Resolution Opposing Senate Bill 382 in hopes that it would not pass, or the items removed that would handcuff local governments.

Commissioner Eckendorf shared that he would be advocating for a tax cut in the upcoming budget deliberations.

Commissioner Brown shared that the upcoming Flybridge development agenda items will be interesting and that he would read up on all plans in preparation.

Closed Session

On a motion by Commissioner Conaway, seconded by Commissioner Turner, with unanimous approval, the board entered closed session at 7:33 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.

Adjournment

On a motion by Commissioner Conaway, seconded by Commissioner Eckendorf, the meeting was adjourned at 8:16 pm.