

Town of Swansboro
Board of Commissioners
March 12, 2024, Regular Meeting Minutes

In attendance: Mayor Pro Tem William Justice, Commissioner Jeffrey Conaway, Commissioner Joseph Brown, Commissioner Douglas Eckendorf and Commissioner Pat Turner. Mayor John Davis was absent. Mayor Pro Tem Justice facilitated the meeting.

Call to Order/Opening Prayer/Pledge

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

Public Comment

Frank Tursi of 270 River Reach Drive addressed the board regarding the agenda item to amend Board of Commissioners Policy # 15. He shared that this change could result in the town accepting all roads regardless of condition because any contractor could come up with unusual circumstances. Additionally, he felt the process was a backdoor way of changing the ordinance, and he urged the board to table and hold a public hearing to give the citizens a chance to speak on it.

Adoption of Agenda and Consent Items

On a motion by Commissioner Eckendorf, seconded by Commissioner Conaway, the agenda along with the below consent items was approved unanimously.

- August 14, 2023, Regular Meeting
- August 14, 2023, Closed Session
- August 28, 2023, Regular Meeting
- August 28, 2023, Closed Session
- Budget Ordinance Amendment #2024-7

Appointments/Recognitions/Presentations

Recognition of McKenna Panos

Mayor Pro Tem Bill Justice recognized McKenna Panos by presenting her with a proclamation for her outstanding performance at the NCHSAA 3-A Indoor Track and Field Championship securing the State Indoor High Jump Title. Mayor Pro Tem Justice also provided Ms. Panos with a photograph he had of her grandfather, who was a close friend of his.

Public Hearing

UDO Text Amendment to Massing Study Standards in the Historic District

Projects/Planning Coordinator Brehmer reviewed that during the October 17, 2023, and November 28, 2023, Swansboro Historic Preservation Commission meetings, a request

was made by the board to review and amend the current Massing Study Standards found under Section 11 New Construction of our Historic District Design Standards. The Planning Board recommended this amendment to the Board of Commissioners at their February 6, 2024, meeting.

The public hearing was opened at 6:12 pm, then closed. No comments were made.

On a motion by Commissioner Eckendorf, seconded by Commissioner Turner, Ordinance 2024-O4 amending Appendix III Historic District Design Standards Section 11 New Construction was unanimously approved.

Business Non-Consent

Sidewalk Repair and Street Repaving Project

Interim Town Manager Barlow reviewed that the property owner of 101-104 Church Street, aka Port of Swannsborough, was replacing the concrete parking pad in front of this business location. The Town owned a 6' wide portion of this pad along Church Street. The Town received a quote from the contractor working for the private property owner to replace the Towns portion in the amount of \$7,560 for 4 inches of concrete or \$9,000 for 6 inches of concrete (120 feet in length). Additionally, a quote to repave the portion of Church Street from Water Street to Front Street was received from Onslow Grading a Paving in the amount of \$22,755.50. Both of these projects are Powell Bill eligible, and the FY23/24 Budget had funds remaining to cover these expenditures.

In response to inquiries from the board, Interim Manager Barlow clarified the following.

- The project was below an expense threshold to require more than 1 quote.
- Recommends the 6-inch concrete option over the 4-inch option due to vehicular traffic crossing it.
- The owner of 101-104 Church Street intended to proceed with the project even if the Town did not, however, at a later date the cost will likely be more.
- The project was Powell Bill eligible because that fund provides funding for sidewalks and street maintenance for Town maintained streets.

On a motion by Mayor Pro Tem Justice, seconded by Commissioner Turner, unanimous authorization was given for staff to enter into a contract with Sun City Contractors in the amount of \$9,000 to replace 6'x120' of concrete and a separate contract with Onslow Grading and Paving in the amount of \$22,755.50 to repave a portion of Church Street.

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. No additional items were addressed.

Amendment to Board Policy # 15 – Private Roads and Associated Facilities Acceptance of Dedication and Maintenance

Interim Town Manager Barlow reviewed that as requested by the board, an amendment to Board Policy #15 had been drafted by the Town Attorney for review.

Interim Attorney Rasberry shared with the board that this amendment provided flexibility to address items such as the Charleston Park subdivision. If the board approved the amendment the next action would be to accept the subdivisions infrastructure and identify specifics.

In response to inquiries from the board, Interim Attorney Rasberry clarified the following.

- The intention is to set general guidelines and not specify certain properties/projects
- The Town UDO standards would still apply

Concerns were shared that the policy was not strict enough and that future boards could make changes at any time, along with how the acceptance of Charleston Park could affect the budget.

On a motion by Commissioner Brown, seconded by Commissioner Eckendorf, Board Policy # 15 – Private Roads and Associated Facilities Acceptance of Dedication and Maintenance was amended as presented by a vote of 3:2.

Ayes: Brown, Eckendorf, Justice

Noes: Conaway, Turner

Public Comment

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

Manager's Comments

Interim Attorney Rasberry shared that a conversation was held with the litigation lawyers related to the skatepark, and further discussion was still needed related to reopening the skatepark. Additionally, he shared that the Town's prior attorney, Cliff Parson, had reached out to him regarding his association with a client that would be

having an upcoming project in the Town of Swansboro, and inquired if the board would provide a waiver of conflict for the project to allow Mr. Parson to represent his client.

By consensus, the board was not in favor of granting the waiver.

Board Comments

Commissioner Conaway shared that his vote against the board policy was not an indication that he was against Charleston Park, he just has concern on what the potential outfalls could be for making such changes.

Board members shared their appreciation to staff and those in attendance at the meeting, and to Mayor Pro Tem Justice for his first successful facilitation of a meeting as Mayor Pro Tem.

Adjournment

On a motion by Commissioner Conaway, seconded by Commissioner Brown, the meeting adjourned at 6:55 pm.